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## THE ARMY OF THE SOUTH-WEST, AND THE FIRST CAMPAIGN IN ARKANSAS.

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BY SAM'L PRENTIS CURTIS,

BREVET CAPTAIN AND AID-DE-CAMP TO MAJOR GENERAL CURTIS.

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### CHAPTER THIRTEENTH.

(Continued from page 270.)

After a five days' occupancy, on April 16th the army left Forsyth and continued the retrograde movement northeastward. Headquarters of the Commanding General moved up the valley of Swan Creek, passing through the deserted village of Taney City, and after a ten miles' march camped on Billoue Creek. Here Curtis remained three days, awaiting, amid almost constant rain, the progress of his troops. Supplies had been brought direct from Springfield to Forsyth, but notwithstanding the most energetic efforts, the amount received was very small. The great distance of the army from Rolla, its constantly shifting position, the inadequate and worn out condition of the trains, the great scarcity of animals, the almost impassable nature of the rugged and primitive mountainous roads, the swollen condition of the deep and rapid streams, aggravated by almost constant rains, the deep mud encountered in the alluvial valleys, rendered the transportation of supplies sufficient for the use of the army almost an impossibility. But little forage or subsistence could be obtained in the primitive and thinly settled country traversed by the army. On the march, the country was scoured for a distance of from twenty to fifty miles in

either direction for forage and grain. All the mills within twenty miles of the line of march were kept constantly at work in the production of flour and cornmeal. Forage was remarkably scarce. The soldiers were suffering for shoes and clothing. Cavalry and artillery horses were much needed; horse-shoes were also in great demand. The scarcity of subsistence often rendered the rations of men and animals very light, but the army pressed onward.

The difficulties of the march were very great, but from April 16th, when they left Forsyth, until May 2d, when their advance reached Batesville, Arkansas, a distance, by the route traveled, of 165 miles, the troops moved with the utmost possible rapidity. From Forsyth the route lay up the valley of Swan Creek, through Taney City, thence northeasterly, crossing the streams of Little Beaver and Big Beaver, through Arno, crossing Cowskin Creek and Hunter's Fork to Vera Cruz, county seat of Douglass County, Missouri, on Bryant's Fork, a distance of forty-nine miles. From Vera Cruz the route continued easterly, crossing Bryant's Fork and Big North Fork to West Plains, county seat of Howell County, Missouri, a distance of forty-three miles. From West Plains the route turned almost directly south, crossing Spring River to Salem, Arkansas, a distance of thirty-two miles. From Salem it continued in the same direction, crossing Strawberry River and Polk Bayou, through Polk Bayou P. O. to Batesville, Arkansas, a distance of forty-one miles.

On April 19th Curtis left Billoue Creek, and after a four days' march arrived at Vera Cruz on the afternoon of the 22d. Vera Cruz consisted of three or four log houses and a mill, situated in a deep valley, on Bryant's Fork. It was entirely surrounded by the high hills of the Ozark. At night the evergreen forests on these hills were inflamed. A magnificent spectacle presented itself to the view. The camp appeared encircled by a vast amphitheatre of burning forests. High up on the hills the flames and smoke swept around and above the dark forms of the trees, and lit up the skies with a wild and luminous brilliance.



The country traversed was of the same wild, primitive, mountainous character. A few more inhabitants than had hitherto been met were found on the line of march. The rains were almost incessant. The roads were in a terrible condition. Some of the troops were nearly out of provisions, but at Arno a train arrived which supplied the most pressing wants. The divisions marched by different roads, at a considerable distance apart. The rains and swollen mountainous streams rendered the march very slow and difficult. The troops were much delayed. They were hurried forward with as much speed as could be obtained over the narrow, steep and stony roads of the Ozark.

On April 25th Curtis left Vera Cruz, and, after two days' rapid march, arrived at West Plains on the 27th. He was rapidly followed by the entire army. The country traversed was still the wild, broken region of the Ozark—high hills covered with forests of evergreen and scrub oak—until within about ten miles of West Plains, when it became more level and alluvial. The Ozark Mountains were now at length crossed. The entire campaign since leaving Rolla had thus far been conducted in the mountainous, hilly region of Missouri and northwestern Arkansas. The soldiers were now to bid farewell to the rocks and evergreens, the deep, cold streams, rough roads and pure air of the Ozark. They were next to traverse the swamps, cane brakes and cotton fields, the primeval forests and alluvial bottom lands of White River and Arkansas.

On arriving at West Plains, Curtis earnestly requested that additional supplies, teams, cavalry horses, tools, clothing and equipments of all kinds be forwarded to replace the machinery of the army worn out in the weary and laborious march over the Ozark. The line of supplies was at once established from Rolla, via Houston, to West Plains. All the mills for many miles, within reach of the army, were still kept constantly at work in the production of meal and flour.

Dispatches were received at West Plains from Halleck, at Pittsburg Landing. He directed a rapid onward movement to the Mississippi. Van Dorn was already at Corinth, and Price

was about to land at Memphis. The enemy, he said, moved five miles to one advanced by the Army of the South-West. News was also received from other sources of the embarkation of Price's army at Des Arc, on White River, for Memphis. The rebel army, in moving eastward from Van Buren, after the battle of Pea Ridge, had advanced mainly by steamboats on the Arkansas River to Little Rock, thence over the railroad to Duvall's Bluff and Des Arc, on White River, and thence down White River and up the Mississippi by steamboats to Memphis. The Army of the South-West had performed a wearisome and difficult march of one hundred and seventy-five miles, from Pea Ridge to West Plains, over the rough and almost impassable roads of the Ozark. Under such circumstances, it was not wonderful that the rebel army, traveling by steamboats and railroads, could move five miles to one obtained by the Army of the South-West, moving on foot over the mountains, with a worn out and insufficient wagon train, suffering for supplies and clothing, and compelled to scour for miles an almost uninhabited country for forage and subsistence.

Orders were also here received from the Secretary of War, directing that Captain A. W. Ellet, of the 59th Illinois Infantry, be permitted to select not exceeding six subaltern officers and a squad of not more than fifty men, all to be volunteers from his regiment. With these he was to proceed by the most direct route to St. Louis, and thence on "an important and dangerous expedition down the Mississippi." The order was obeyed, and Captain Ellet selected his men and started to St. Louis. This was the origin of the Mississippi Marine Brigade, commanded by Brigadier General A. W. Ellet.

An army numbering about 6,000 men had been pushed forward from Pilot Knob, Missouri, the terminus of the Iron Mountain railroad, from St. Louis, and was at Pocahontas, on Black River, in Arkansas, under command of Brigadier General Frederick Steele. Halleck had originally ordered this force to advance on Helena, Arkansas. Steele's force was



now placed under command of Curtis. It was an object to form a junction with this force as soon as practicable.

The guerrilla chief, Coleman, was reported to be at Batesville, seventy-three miles south, in Arkansas, with a force of four hundred rebels. He was daily receiving reinforcements, and it was determined, if possible, to capture his entire gang.

On April 29th, leaving most of the troops and his own headquarters and most of his staff at West Plains, with instructions to follow as rapidly as possible, Curtis advanced rapidly to the south, taking with him the 1st brigade of Osterhaus' division, consisting of infantry and Welfley's battery, and also detachments from the 3d Iowa and 3d Illinois cavalry regiments and Bowen's battalion, being all the cavalry force available.

On April 30th he camped at Salem. The remainder of the army followed with as much rapidity as could be obtained. As the troops moved south and left the elevated and colder regions of the Ozark, they found Spring far advanced. The woods were in full leaf, the air was mild and pleasant, and sometimes uncomfortably warm. At Batesville roses were in full bloom. The country traversed was rolling and hilly, well wooded, and well adapted to cultivation.

Curtis, with his advance guard, left Salem at noon on May 1st, and camped after a march of about fourteen miles. On the 2d he advanced to Polk Bayou, distant about sixteen miles from Batesville, and rested until evening. About ten o'clock P. M. the march was resumed, in the hope of capturing Coleman. The night was dark. Seventeen times the road crossed Polk Bayou, and the stream continually became deeper as it neared White River. The road was rough, and the frequent crossing of the creek rendered the advance slow and difficult. At five o'clock on the morning of the 3d, the troops reached Batesville and surrounded the town. The upper and lower ferries, the former at the town and the latter a mile below, were seized. It was found that Coleman was encamped in the woods on the south side of the river, out of range of our shells. His force was increased to about 1200 men. The Union troops occupied Batesville, but were not

able to cross and attack the enemy, as there were but two or three small flatboats available. A skirmishing fire was carried on across the river, at the lower ferry. The rebels gathered on the opposite shore. Under cover of the trees they would crawl up to the bank and fire across at the Union soldiers, at the same time using a great deal of profane language towards the "Yanks" and abolitionists. A Union Lieutenant was struck by a spent ball. A few rounds of shell from Bowen's mountain howitzers dispersed the rebels, wounding several and killing three. Among the killed was Lieut. Col. Douglas McBride, a son of the rebel General McBride. His body was left unburied by the rebels, who precipitately retreated from the vicinity. Several days afterward he was buried by a detail of Union soldiers.

Batesville was a beautiful place, situated one hundred and ninety miles south of Rolla. It had thus far escaped the ravages of war, and had much the appearance of a northern town. It had been a prominent business point. The streets were wide, and were lined by many elegant residences, surrounded by groves, flowers and shrubbery. After the long and wearisome march through the mountains, the army had suddenly found a garden in the wilderness. It was the county seat of Independence County, and contained at the commencement of the war a population of about 2,000 souls. Out of a voting population of 2,200, the county gave 1,100 votes for Union delegates to the convention which seceded Arkansas from the Union. When captured, the sentiment of Batesville was divided, but principally of a rebel cast. The women were especially bitter. The sour looks of the rebel maidens were at first disheartening to the gallantry of the soldiers. They, however, eventually became more amiable and agreeable. Several prominent rebels were captured in the town. At the post-office, a heavy mail, with the latest Little Rock and Memphis papers, and at the court-house, some hundred stand of arms, as well as a considerable amount of contraband property, were also seized.

The remainder of the army rapidly approached Batesville, and camped in its vicinity, and as far east as Sulphur Rock,



ten miles distant, on the Jacksonport road. A cavalry force was at once sent east along the northern bank of White River to Jacksonport, situated at the junction of White and Black Rivers, twenty-six miles from Batesville. This force arrived in Jacksonport on the morning of May 4th, and found the town already occupied by a portion of General Steele's command. The remainder of Steele's army rapidly arrived at Jacksonport, and Steele reported, for orders, and the strength, position and condition of his command, to Curtis. Rope ferries were immediately put in operation at Batesville, and new and more commodious boats were constructed.

The arrival of the Union army at Batesville was marked by a flowery and lengthy proclamation from the rebel Governor, Rector, dated May 5th. It recited that the enemy was ravaging the northeastern part of the State, while Arkansas troops were called to the defense of other portions of the Confederacy; portrayed the beauties of democratic liberty, State sovereignty, secession, etc., contrasted with the despotism of Lincoln and his hirelings; called for 4,500 men to act as home guards until the Confederacy would protect the State, and especially urged "gentlemen of leisure and wealth" to go and fight, leaving the tillers of the soil to raise something for subsistence.

An expedition was sent out which destroyed extensive saltpetre works of the rebels, about fourteen miles northwest of Batesville. Large numbers of citizens came into Batesville to take the oath of allegiance. It was apparent that a very considerable Union sentiment existed throughout the country, and only needed encouragement and protection to become everywhere conspicuous. A newspaper, "The Independent Balance," which had formerly existed in Batesville, advocating, variously, as they were the more popular, Union and rebel doctrines, was revived and set in operation by the military power. It was edited by Sergt. Maj. Tinkham, of the 4th Iowa cavalry, and served as a medium for disseminating Union doctrines and the latest news to the troops and

to the people, and for the publishing of general orders and other military information.

The 1st division and the 4th, 5th and a detachment of the 6th cavalry Missouri volunteers, under Osterhaus, crossed White River and pushed forward to Little Red River and the vicinity of the town of Searcey, in White County, about forty miles south of Batesville, on the direct road to and distant about forty-nine miles from Little Rock. Reconnoissances were thrown forward into the town of Searcey.

A cavalry expedition, under Lieut. Col. Wood, of the 1st Indiana cavalry, was also sent out by Steele, from Jacksonport, and penetrated as far as Augusta, on the east bank of White River. This expedition had two unimportant skirmishes with the enemy.

Halleck had intended to have the army of Curtis progress as rapidly as possible to some point on the Mississippi, where it would be of assistance in the capture of Memphis and in the opening of the Mississippi, and where it would be more accessible for supplies by water communication. It was also designed to capture Little Rock, and for this purpose Osterhaus had advanced to Little Red River.

At this period the Mississippi was flooded, and the low, swampy country east of Jacksonport was converted into a vast lake. Scouts sent eastward were unable to progress more than a few miles beyond Jacksonport. The country was perfectly impassable. Our gunboats were at the time besieging Fort Pillow, and it was even thought that the noise of the cannonading was heard near Jacksonport. The Army of the South-West was thus prevented by a flood from progressing eastward and assisting in any attempt to capture Memphis.

The army not being able to move eastward, Curtis intended to advance as rapidly as possible, via Searcey, and capture Little Rock. In addition to the line of communication with Rolla, an additional line was opened with Pilot Knob, and supplies were received over both routes. Garrisoned posts were established and maintained on the Rolla



line at Houston and West Plains, Missouri, and at Salem, Arkansas; and also on the Pilot Knob route at Smithville, Pocahontas and Pittman's Ferry, Arkansas, and at Reeves' Station, Pattersonville and Greenville, Missouri. Matters were thus being rapidly arranged for the capture of the rebel State capital.

But at this juncture a telegraphic order, dated May 6th, was received by Curtis on May 9th, through department headquarters at St. Louis, from Halleck, at Pittsburg Landing. Curtis was to send, "as rapidly as possible," a portion of the infantry of the army to Halleck, at Pittsburg Landing, Tennessee, either via Rolla, Pilot Knob or the Mississippi. Their services were needed in the great concentration of national troops which occurred in front of Beauregard's position at Corinth. The order further said that Curtis "must operate in Arkansas mostly with cavalry and artillery. Van Dorn and Price are both here" (at Corinth). "Curtis' infantry must make forced marches, so as to reinforce us as soon as possible."

In obedience to this order, the 36th and 44th Illinois, 2d and 15th Missouri infantry volunteers, and Company C, Benton Hussars, were placed under command of Brig. Gen. Asboth, and called the 2d division. The 25th, 35th and 59th Illinois and 22d Indiana infantry volunteers and Company F, 1st Missouri cavalry volunteers, Capt. Clifford, were placed under command of Brig. General Jeff. C. Davis, and called the 3d division. In accordance with orders, Steele also detached two regiments from his command, the 21st and 38th Illinois infantry volunteers, under Colonel Carlin. All these troops were ordered to proceed by the most direct route, and as rapidly as possible, to Cape Girardeau, Missouri, there to await further orders.

In parting with officers and troops who had so long and so faithfully served under him, sharing alike the long and weary marches and the dangers of battle, the feelings of the commanding General were expressed in the following farewell order:

HEADQUARTERS ARMY OF THE SOUTH-WEST, }  
 BATESVILLE, ARK., May 10th, 1862. }

*Special Orders,* }  
 No. 169. }

\* \* \* \* \*

II. The troops moving under Brig. Gen. Asboth will bear the name of the 2d division, Army of the South-West, and those under Brig. Gen. J. C. Davis will be known as the 3d division, Army of the South-West. In parting with the officers and soldiers of these divisions, the General commanding feels an abiding confidence that they will show themselves, when called upon, no matter in what trying occasions, worthy of the fame that has gone before them, and he trusts they will add to the glory they have achieved under his command, and do more distinguished service for their country. The General tenders his thanks to Generals Asboth and Davis for their services and support, and to each and all the troops who march with them to Tennessee.

\* \* \* \* \*

By command of Major General Curtis,

H. Z. CURTIS, Asst. Adjt. Gen.

Asboth and Davis both expressed their regrets at parting with one who had for so long a time been their commander, and promised that their troops would maintain, in Tennessee, the glory already won during the campaign and at Pea Ridge, and that the honor of the Army of the South-West should remain, by them, forever untarnished.

The departure of these troops broke up the original organization of the Army of the South-West. The sudden withdrawal of so large a force, temporarily deranged all plans, and delayed the capture of Little Rock. A portion of Osterhaus' command had been withdrawn and departed for Cape Girardeau, but he still held his position at Little Red River. Steele had hitherto been camped at and in the vicinity of Jacksonport. He was now ordered to Batesville, and on May 15th left Jacksonport with the greater portion of his command. Only a small force of cavalry was left in that vicinity, on the west bank of Black River.

The troops remaining were at once reorganized in three divisions. The following statement will show the disposition of the forces under the new organization, and during the remainder of the campaign until the army arrived at Helena:



ARMY OF THE SOUTH-WEST, AS REORGANIZED AT BATESVILLE, ARKANSAS, MAY, 1862, COMMANDED BY MAJOR GENERAL SAMUEL RYAN CURTIS, U. S. VOLS.

*1st Division, Brigadier General FREDERICK STEELE.*

- 11th infantry Wisconsin volunteers, Colonel Harris.
- 33d infantry Illinois volunteers (normal regt.), Colonel C. E. Hovey.
- 8th infantry Indiana volunteers, Colonel David Shunk.
- 18th infantry Indiana volunteers, Colonel Thomas Pattison.
- 1st cavalry Indiana volunteers, Colonel Conrad Baker.
- 3d cavalry Iowa volunteers, Colonel Cyrus Bussey.
- 5th cavalry Illinois volunteers, Colonel Hall Wilson.
- 9th cavalry Illinois volunteers, Colonel Albert G. Brackett.
- 13th cavalry Illinois volunteers, Colonel Bell.
- "Kane County cavalry" Illinois volunteers (2 Cos.), Captain Dodson.
- 1st battery Indiana volunteers, Captain Klaus.
- 1st battery Missouri volunteers.
- 16th battery Ohio volunteers.
- Peoria battery Illinois volunteers, Captain Davidson.

*2d Division, Brigadier General EUGENE A. CARR.*

- 4th infantry Iowa volunteers, Colonel J. B. Williamson.
- 9th infantry Iowa volunteers, Colonel Wm. Vandever.
- 13th infantry Illinois volunteers, Colonel John B. Wyman.
- 1st cavalry Missouri volunteers, Lieut. Colonel Frederick Wm. Lewis.
- 3d cavalry Illinois volunteers, Colonel L. F. McCrillis.
- 4th cavalry Iowa volunteers, Colonel A. B. Porter.
- "Elbert's flying battery" Missouri volunteers, Captain Elbert.
- 1st battery Iowa volunteers, 1st Lieutenant Virgil J. David.
- 3d (Dubuque) battery Iowa volunteers, Captain M. M. Hayden.

*3d Division, Brigadier General PETER JOSEPH OSTERHAUS.*

- 3d infantry Missouri volunteers, Colonel Isaac F. Shepard.
- 12th infantry Missouri volunteers, Major Hugo Wangelin.
- 17th infantry Missouri volunteers, Colonel Franz Hassendeubel.
- 1st infantry Missouri volunteers (U. S. res. corps. det.) Col. Robt. I. Rombauer.
- 4th cavalry Missouri volunteers (Fremont Hussars), Colonel Geo. E. Waring.
- 5th cavalry Missouri volunteers (Benton Hussars), Colonel Joseph Nemett.
- 6th cavalry Missouri volunteers (detachments), Major Henry P. Hawkins and Lieutenant Colonel Saml. N. Wood.
- 5th cavalry Kansas volunteers, Colonel Powell Clayton.
- 2d battery Ohio volunteers, Lieutenant Chapman.
- Welfley's battery Missouri volunteers, Captain Martin Welfley.
- Hoffman's battery, Captain Hoffman.

*Unattached Corps.*

- "Bowen's battalion" cavalry Missouri volunteers (4 Cos.), Maj. Wm. D. Bowen.
- 24th infantry Missouri volunteers (6 Cos.) Provost Guard, Maj. Eli W. Weston.
- 2d cavalry Wisconsin volunteers (2 battalions), Brig. General Cadwallader.
- 10th cavalry Wisconsin volunteers (1 battalion), C. Washburn.
- 1st infantry Arkansas volunteers (6 months' men), Lieut. Col. J. C. Bundy.

<i>Brigade Commanders.</i>				
1st brigade, 1st division,				Brig. General W. P. Benton.
2d	"	"	"	Colonel C. E. Hovey.
3d	"	"	"	Conrad Baker.
1st	"	2d	"	Wm. Vandever.
2d	"	"	"	John B. Wyman.
3d	"	"	"	A. B. Porter.
1st	"	3d	"	Franz Hassendeubel.
2d	"	"	"	Geo. E. Waring.

## CHAPTER FOURTEENTH.

THE ARMY AT BATESVILLE.—MARCH TO LITTLE RED RIVER AND RETURN.—VARIOUS ENGAGEMENTS.—CORRESPONDENCE AND ORDERS.—ARKANSAS TROOPS.—EVACUATION OF BATESVILLE AND MARCH TO JACKSONPORT.—PREPARATIONS TO MOVE DOWN WHITE RIVER.

The telegraph line was extended south from Pilot Knob and over the Pilot Knob route to the headquarters of Curtis, at Batesville. It was continued from Batesville eastward to a point in the woods about ten miles distant from Jacksonport, but it was not completed to these points until a short time before the evacuation of Batesville, about the last of June.

On May 12th, Halleck sent the following telegram to Curtis, which was forwarded from the end of the line and received by the latter on May 15th:

ST. LOUIS, May 12th, 1862. }  
 Monterey, Tennessee. }

TO MAJOR GENERAL CURTIS, BATESVILLE:

On reaching Little Rock, you will assume the direction of affairs in Arkansas as Military Governor. All civil authorities who are untrustworthy, or who will not take the oath of allegiance, will be removed from office and others appointed in their place. The telegraph will follow you as rapidly as possible.

H. W. HALLECK, Major General.

Although the army under General Curtis never arrived at Little Rock, the duties of Military Governor were by him performed, in the organization of the 1st regiment of Arkansas infantry volunteers, and in other ways, until his arrival at Helena, when John S. Phelps, of Missouri, was appointed Military Governor of the State, by the President.



On May 15th, by order of Halleck, the command of southwestern Missouri, and the line of posts from Rolla to Cassville, was relinquished to Brigadier General Egbert B. Brown, of the Missouri State Militia. The army of Curtis was thus left in a comparatively unencumbered situation to continue its operations in Arkansas, having only to sustain a portion of the garrison posts on its lines of communication in the rear.

The removal of the greater portion of the infantry from the army, although perhaps necessary to Halleck at Corinth, together with an order from the quartermaster department at St. Louis, which temporarily stopped all trains going to Curtis, delayed and ultimately prevented an advance on Little Rock by the Army of the South-West. Curtis appealed in strong terms to Halleck for reinforcements. His pickets and outposts were constantly assailed in the front and on the flanks by an ever-vigilant enemy, and the country in his rear swarmed with guerrillas and partisan bands, rendering large escorts necessary to every train, and endangering the weak garrisoned posts on his extended lines of communication. He was in the heart of an enemy's country. Troops temporarily left on post, garrison and other duties in southwestern Missouri, had been taken from his command by the order placing General Brown in command at Springfield. The departure of most of his infantry left the army too weak to move forward, but it was not until after the 5th of June, when the army had fallen back from Little Red River to Batesville, that a letter was received from Brigadier General Scofield, commanding the "District of the State of Missouri," who, by order of Halleck, placed under the command of Curtis all the troops in southern Missouri, including the peculiar organization known as the "Missouri State Militia," who were regularly enlisted into the United States military service, but retained, to a certain extent, under the control of the Governor of their State, upon condition that they were not to leave it except in its defense. This order did not, however, very materially increase the strength of the army, beyond enabling troops that had been detached from their divisions on post duty to rejoin their commands. The

Missouri State Militia garrisoned posts in Missouri, and Col. Rombauer's regiment of the "United States Reserve Corps," a home guard organization originated by Fremont, refused to cross the State line from Missouri into Arkansas. The terms of its enlistment provided that it should remain in Missouri. A portion of the regiment under Col. Rombauer was afterwards induced to march with the army to Helena. The remainder was left in Missouri, and the lack of patriotic spirit displayed by the regiment in refusing to march to the succor of its fellow soldiers in the front, was censured alike by Curtis and Scofield. General Washburn's command, the 13th Illinois cavalry, and the 5th Kansas cavalry, were also enabled to join the army of Curtis. These events, and the reorganization of the army, and changes in the lines of operation, caused a delay, which, joined to other circumstances, proved fatal to the forward movement on Little Rock. Whether, at the time, it would have been possible to maintain communication overland between Little Rock and Pilot Knob and Rolla, with the force then composing the army, is problematical. It was the opinion of Halleck that it could not be done, but Curtis thought otherwise, and was anxious to make the attempt.

An advance had been attempted via Searcey. A severe conflict occurred near "Searcey Landing," Little Red River, on May 19th, between the enemy and a foraging party from Osterhaus' division, composed of detachments of infantry and cavalry, numbering about two hundred, under command of Major Kielmansegge, of the 4th Missouri cavalry, subsequently reinforced by Colonel Waring and the 17th Missouri infantry, under Colonel Hassendenbel and Lieutenant Colonel Cramer. The Union troops were attacked by about eight hundred Texan rangers, and a portion of the infantry, after a proper resistance, offered to surrender; but the rebels continued firing on them, refusing to accept them as prisoners, and barbarously maltreating and murdering all who fell into their hands, and destroying ambulances sent to pick up the wounded. Being thus compelled to fight, the Union troops again attacked the enemy. The noise of the firing soon



brought the Union reinforcements, when the rebels retired from the field. The Union loss was seventeen killed, thirty-two wounded and two missing. The rebel advance was reported to have been commanded by General Rust and subsequently by General Hindman. Their entire loss was unknown. Eighteen of their dead were left upon the field.

As soon as the troops of Steele's division were drawn in from Jacksonport, on the remote left flank, to Batesville, on the direct line to Little Rock, and the army reorganized and the lines of communication with Rolla and Pilot Knob arranged, with a view to the better securing of supplies, the advance on the capital of Arkansas was attempted.

On May 19th, leaving Steele in command at Batesville, Curtis crossed White River and moved to Searcey with as much rapidity as was possible in a terrible rain-storm lasting thirty-six hours, which rendered the roads almost impassable. He remained at the front until summoned back to Batesville to attend to pressing duties.

At Searcey and on Little Red River were the divisions of Carr and Osterhaus. Little Red River had been bridged by the Union troops, and it was hoped that the army could soon move forward. But the muddy roads were rendered entirely impassable for a large force by the extremely severe rains occurring at this time. Little Red River, and other streams, swollen by the rains, could not be crossed by the army. The continual interruption of supply trains by guerrillas in Missouri, and the order from the quartermaster department at St. Louis, stopping these trains, deranged plans and prevented movement. Forage became entirely insufficient, and it was the opinion of Generals Steele, Carr and Osterhaus, in a consultation at Little Red River, whither, after the return of Curtis to Batesville, Steele had gone for that purpose, that the position on Little Red River must be abandoned. Skirmishes were of almost daily occurrence. The enemy was rallying in force, and with his newly recruited conscripts, was above the Union position, on Little Red River, endangering our right flank. "For God's sake," wrote Winslow, the chief Quartermaster of the army, to Curtis, "consider the

practicability of getting *trains* over the road you are going to take!" Carr, in particular, urged many reasons for the return of the army to Batesville, in good order, before it was attacked in its exposed position and overwhelmed by numbers. The impracticability of a further advance via Searcey became evident. Within forty-nine miles of Little Rock, the army had halted in its onward march. About the 5th of June it retraced its steps to the vicinity of Batesville; Carr remaining for a brief time in camp a few miles south of White River.

It is to be regretted that the occupation of the State capital was thus prevented by bad roads, inadequate force and the difficulty of transporting supplies. Rector, the rebel Governor, had ordered out 4,400 militia to oppose an advance, and the proclamation forbade troops leaving the State, which it was necessary for them to defend. There was, at the time, at or near Little Rock, a small force of about two and a half regiments of Texan rangers and the rebel gunboat "Kentucky." There were rumors of other troops, and the enemy was rapidly reinforced, but the place was very feebly protected. The gunboat, driven out of the Mississippi after the naval victory at Memphis, had sought refuge in the Arkansas River, and on its arrival at Little Rock had shelled the camp of the Texan rangers, supposing them to be Union troops. This reveals the reign of terror which existed among the enemy. The order of Rector calling out the militia met with a chilly reception by the people. Considerable Union sentiment existed, although everywhere, except within the Union lines, held in check and overawed by superior rebel power. Union men promised supplies of forage on the line of march. Prominent rebel citizens fled before the anticipated advance. Rector himself left Little Rock, and the State archives were removed from the city for safe keeping. Had it been possible to occupy the State capital and regularly inaugurate a provisional State government, comparative order and quiet might have been restored to Arkansas at a much earlier date than the time they were subsequently established. Once more rebellion was protected, not so much by its own



strength and valor, as by the difficulty of penetrating its vast territory. A few roving bands of guerrillas and partisan cavalry, aided by a small regular force of rebels in the front, and by roads almost absolutely impassable, were enabled to check the movements of an army, by hovering on its rear, cutting off its supplies and harrassing the feebler garrison posts on its lines of communication.

About the 2d of June a pontoon train was received, the first that had ever been with the Army of the South-West. At Rolla, in January, Curtis had applied to Halleck to send a pontoon train to the army, then about to advance over deep and flooded streams to attack Price. The reply was, that the only one available was needed elsewhere and could not be spared. The bridge received at Batesville was not of sufficient length to cross White River, but it was subsequently thrown across Black River at Jacksonport. It was placed in charge of Captain Van Sant, of the 24th Missouri infantry, and did good service among the swamps and bayous encountered between Jacksonport and Helena.

A cavalry reconnoissance under Lieut. Col. Sickles, of the 9th Illinois cavalry, was sent by Col. Brackett from Jacksonport, on May 26th, to Augusta, Cache River, and Cotton Plant. The object was to ascertain the position and condition of the enemy, and to capture the telegrams in the office of the Memphis and Little Rock telegraph line at Cotton Plant. The operator had, however, taken the alarm and fled, and all important documents were removed. In a skirmish with the enemy, on May 28th, at Cache River bridge, Col. Sickles had two men wounded. The rebel loss was four killed, four wounded and one taken prisoner. Col. Sickles returned with his command to Jacksonport on May 29th.

On May 27th a Union force under Lieutenant Colonel Lewis, of the 1st Missouri cavalry, attacked a rebel force at "Jeffrie's Mills," on the south side of White River, and a number of miles west of Searcey. The rebels were defeated with a loss of four killed and about twenty wounded. The Union loss was two wounded.

On May 29th, an expedition under command of Major Bowen, consisting of a detachment of the 3d Iowa cavalry, under Major Drake, and Bowen's battalion, had a severe skirmish with the enemy fifty-five miles west of Batesville. The engagement was variously styled "Richwoods," "Kickapoo Bottom," and "Sillamore." The Union loss was one killed, and Capt. Israel Anderson, of the 3d Iowa, and one other wounded. The rebels lost three killed and twenty-two taken prisoners. Major Bowen captured thirty-four rifles and shot-guns, about forty bowie knives, several swords and pistols, and thirty horses, with which he returned to Batesville.

Skirmishes by the outposts and scouting parties were in fact of almost daily occurrence, both at Batesville and during the remainder of the march to Helena. Many occurred of which no reliable official reports were ever given. It is impossible to present accounts of any save the more important of these engagements. In no instance were the Union forces defeated, and generally the rebels were dispersed with little difficulty. But they continually hovered upon the flanks, rear and front of the army, lying in wait for foraging parties, stragglers, and small detachments.

While the army remained at Batesville, and during its march through Arkansas, it was evident that very many of the citizens of Arkansas were still loyal to the Constitution and the old Union. They had been juggled out of the Union by the tricks of a convention which they had elected to oppose secession. Hitherto their State had escaped the devastation of war. The most bitter rebels had generally found their way into the rebel army. The Union citizens, unable to escape, had remained at home. The rebel law of conscription had not then been put in force, and these men had escaped the rebel army. Under the protection of the Union arms, hundreds voluntarily came forward and took the oath of allegiance. No compulsion was used, and the nature and obligations of the oath were fully explained to them before its administration. The fact that no government vouchers for

forage or other property received by the Union army, were ever paid until the applicant had established his loyalty by taking the oath, probably influenced many rebels to perjure themselves to their government. This fact became afterwards evident when many of these men were captured fighting as soldiers in the rebel army. Their invariable excuse under such circumstances was that the departure of the Union army from their vicinity compelled them to enter the rebel ranks. But it is also true that many took the oath with no other view than to attest their loyalty to their government. These were generally the poorer and illiterate classes of the people, small farmers and others, the so styled "poor white trash" of the South, but the yeomanry of Arkansas. They had no supplies for the army for which to receive vouchers, and most frequently lived at distant and exposed points where loyalty to the Union was certain to be visited with outrage and persecution. The rich and leading men of the community generally held aloof. Their sympathies were with the slaveholding aristocracy of the South. Some even of these, desired also to take the oath, but as they were generally regarded with more or less suspicion, they were often required to give bond in large sums for its faithful observance. As the civil law did not recognize these military bonds, the method subsequently adopted where they were violated was to try the offender by "Military Commissions," courts resembling "Courts Martial," but assuming a jurisdiction over civilians, guerrillas, and others not exercised by the latter. In cases of conviction a fine either less or equal to the amount of the bond was collected by the military power.

The guerrillas and partizan bands of the enemy did all in their power to injure the Union cause. The rebels were unable to cope with the national army in the open field, but they sought in every way to harass it and cut off its supplies. McBride with a force of rebel guerrillas was active in the vicinity of Yellville. In Missouri, the operations of Coleman's band and other guerrilla forces, numbering about four hundred men, near Houston and West Plains, were directed



against the lines of communication with the army. Several valuable supply trains were captured en route. Over forty wagons were burned and the supplies appropriated by the guerrillas. Lieut. Col. Samuel N. Wood, of the 6th Missouri cavalry, was very active in the pursuit of Coleman, giving him no rest, but he eluded capture or an open fight.

The system of "partizan warfare" had been adopted by the rebel government as a part of its policy. However justifiable in theory or from former experience in other lands, in the United States during the rebellion, it proved a system of lawless marauding, licentious rapine and brutal murder. Yet nevertheless, the rebel Generals in Arkansas now recognized the services of such men as McBride, Schnable, a renegade methodist clergyman, Coleman and other guerrilla chiefs, and Gen. Hindman, in a published order, devised a plan of guerrilla operations and directed the details of the system. The Union armies had ever eschewed guerrilla warfare. Curtis, in a general order, denounced the operations of Coleman and deplored their effect, not upon the army, which could not thereby be materially injured, but upon the innocent and defenceless inhabitants of the country. The rebel Generals, filled with impotent rage, by a flag of truce, sent letters to Curtis, in which they avowed their system and threatened a war of extermination if these guerrillas when captured were not treated as prisoners of war. General Hindman claimed to have received information that the rebel prisoners captured by Bowen at "Sillamore" were to be hanged, and that Curtis had declared a war of extermination. Gen. Roane had received equally reliable information that the national authorities were *compelling* the unhappy Confederate citizens of the country to take an oath of allegiance to the federal government—an oath, which as he protested, could not be respected by the Confederate authorities.

## THE EARLY HISTORY OF IOWA.

BY CHARLES NEGUS.

[Continued from page 283.]

## THE HALF-BREED LANDS.

Of these claims to the Half-Breed lands, Reed's right, and those who claimed through him, was known as the judgment title. Those who were made parties to the suit of partition and claimed their right by purchase from the Half-Breeds, designated their claims as the decree title. And those claims which had been acquired by squatting on the lands, were known as the settler's title. And in addition to those there were other claims set up to portions of those lands by individuals who claimed to be of those for whom the lands had been reserved, or had purchased interests from them, and through fraud had never been made parties to the suit of partition, and endeavored to assert their rights to a portion of the lands by trying to get the decree of partition set aside.

Elizabeth DeLouis, formerly Elizabeth Hunt, a Half-Breed, and her husband, Henry DeLouis, and John Wright, on the 20th of August, 1845, filed a bill of complaint against Wm. Meek and others, in the District Court of Lee County, charging fraud in the rendering of a decree in partition of the Half-Breed lands, made on the 8th of May, 1841, in the case of Spaulding and others vs. Antaya and others, and stating among other things that they had a good and valid title, regularly derived through the treaty, making a reservation to the Half-Breeds of the Sac and Fox Indians to a portion of the lands decreed and partitioned to others.

To this bill there was a demurrer interposed which was sustained by the District Court. The parties appealed from the rulings of this court to the Supreme Court, but before it was submitted to the Supreme Court, the bill was dismissed as to DeLouis and his wife on their own motion, and Wright left to prosecute the suit by himself. Wright had joined in this suit to obtain one-fourth of a share for which he had a regular chain of title from Francoise Hebert, whom he claimed, was one of the parties for whom the reservation was made.

In the Supreme Court, the rulings of the District Court were reversed and the case remanded back to the District Court, for that court to proceed and try the case on its merits.

Before the case was again reached for hearing, Wright conveyed his interest in the lands to his children, and when the case again came up for trial in the District Court, this conveyance was pleaded in bar to the action, and the plea sustained by the court. And in this decision the case was again taken to the Supreme Court, and again reversed, and sent back for further hearing, but before the case was tried the defendant came forward and tendered to Wright a deed for one-fourth of a share, the amount of land which he claimed, and thus ended the contest as far as these parties were concerned.

At the October term in 1847, Peter Powell, James May and several others, filed their joint bill against Josiah Spaulding and others, in the District Court of Lee County. This bill set forth the several interests of the complainants alleging that they in common with others mentioned in the bill, as far as the same were known, were seized in fee as tenants in common of all the lands commonly called "the Sac and Fox Half-Breed reservations." After stating their several interests in the lands, they proceeded to charge that Josiah Spaulding and others on the 14th of April, 1840, filed in the clerk's office of the District Court of Lee County, a petition for a partition of the Half-Breed lands; that after going through the requisites required by law, at the April term of the Court for 1841, there was a decree entered up by the court partitioning the lands. The petition then charged that the proceedings in obtaining the decree were fraudulent, and set out the frauds in twenty-nine distinct and separate counts. To this bill the defendants demurred, and the demurrer was sustained by the District Court, and judgment entered thereon, from which complainants appealed to the Supreme Court. In the Supreme Court this demurrer was overruled and the case remanded back to the court below for trial on the merits. On the rehearing of this case by the District Court, it was again decided adverse to the interest of the plaintiffs, and by them again taken to the Supreme Court. When the case came up



for hearing again in the Supreme Court, J. C. Hall appeared on the part of the appellants, and proposed to have the case dismissed and the decision of the court below affirmed; while Daniel F. Miller, who appeared as attorney for part of the complainants, objected to the propositions of Hall, and insisted on having the case argued and tried before the Supreme Court on the merits, but Hall prevailed in his efforts, and the decision of the District Court was affirmed.

A part of the complainants were very much dissatisfied at the way in which the case was finally disposed off, and claimed that it was "determined by a fraudulent decree in favor of the defendants; that the defendants compromised, and bribed a part of the complainants, or those having in part charge of the complainants' suit; had a sham trial and sold out a decree to the defendants," and this was the last effort made in the State courts to set aside the decree of partition, and the division made by the partition suit began to be regarded as a permanent thing.

Hugh T. Reed, after he had obtained his deed to the Half-Breed tract, by virtue of the sale made on the executions issued on the judgment in favor of Johnstone and Brigham, undertook to test the validity of his title by obtaining a legal decision. He brought an action of ejectment or right against Joseph Webster to recover possession of the North-east quarter of section number twelve, in township number sixty-seven north, of range five west, containing one hundred and sixty acres, a part of which was in cultivation and in the possession, and was the home of Webster. This case was tried in the District Court of Lee County at the May term of 1845, the Hon. Charles Mason, presiding. On the trial Reed offered in evidence the judgment in favor of Johnstone and Brigham against the "owner of the Half-Breed lands lying in Lee County," to which the defendant objected on the ground that the court had no jurisdiction to render judgment. The plaintiff then offered in evidence the execution and levies and the deed of the sheriff, to the introduction of which the defendant objected. The plaintiff then proved the possession of the defendant at the time of commencing the suit, and

then gave in evidence a plat of the survey of the Half-Breed reservation, duly certified from the general land office, and proved by a surveyor who had traced the lines of this reservation, that the land in controversy was in and a part of the reservation. The plaintiff also introduced the laws of 1838, appointing Johnstone and Brigham commissioners to hear testimony, for the purpose of ascertaining the relative interest and the real owners of the land, and the laws of 1839 repealing the acts of 1838, and authorizing Johnstone and Brigham to bring suit for the recovery of their fees, which was all the evidence offered by the plaintiff.

The defendant having objected to the introduction of the plaintiff's testimony at the proper time, and made all the rulings of the court and the evidence introduced a matter of record by bills of exceptions at the close of the plaintiff's testimony, moved for a non-suit, for reasons set forth, viz :

"1. That the plaintiff had failed to show title in the defendants to the judgment of Johnstone and Brigham, inasmuch as the act of Congress, approved June 3, 1834, which ceded the lands to the Half-Breeds, was a private act, and not having been given in evidence, the court could not take notice of it.

"2. That the Indian title to the land had never been extinguished, and therefore it was not subject to sale on execution.

"3. That the plaintiff had failed to prove that any one of the owners was a resident of Iowa territory during the pendency of the suit of Johnstone and Brigham, and the judgments not having been rendered against any person by name, they were therefore mere nullities, and if not nullities, could not authorize an execution against the Half-Breed tract in satisfaction.

"4. The laws of the Territorial Legislature, referred to, were unconstitutional and void, and therefore the judgments rendered in pursuance of them, were void.

"5. That the jurisdiction of the court in respect of the suit of Johnstone and Brigham was special and limited, and therefore the plaintiff should have proven the regularity of all the steps in the suit antecedent to the judgment."

This motion was overruled by the court, and Webster then offered to prove that the judgments, executions, sheriff's sale and deeds offered in evidence by the plaintiff were all procured by fraud, and that the whole title of plaintiff was based upon fraud, which proof was ruled out by the court. Webster "for the purpose of showing title in himself to the land in controversy, having given proof by hearsay from sundry persons, that one Na-ma-ton-pus was a Half-Breed of the Sac and Fox nations, and also that certain Indians had so stated, and had made oath to the fact; also that certain persons who had married Half-Breeds (not proved to be relatives to Na-ma-ton-pus by either blood or marriage, but who were intimate with the Indians, and talked their language,) had stated, while living, that Na-ma-ton-pus was a Half-Breed; also that his complexion indicated such an origin; then offered in evidence a deed from Na-ma-ton-pus to one Joseph Bond, and from said Bond to one Theophilus Ballord, both duly executed and acknowledged, and conveying to said Ballord all the interest of said Na-ma-ton-pus as a Half-Breed, in the reservation referred to, and also a deed from Ballord and wife to the defendant Webster, for all of said interest, also duly executed and acknowledged." To the introduction of these deeds in testimony, the plaintiff objected, and the objection was sustained by the court. Webster then proved that he came into possession of the land in 1838 by virtue of a title derived from Na-ma-ton-pus, that when he purchased there were improvements on the land, and that he had been in possession ever since the purchase.

Webster "then offered to prove by parol testimony that no service had ever been made upon any person in the suit of Johnstone and Brigham; that no notice was given by publication of the pendency of said suit; that the plaintiff Reed was one of the council who procured said judgments; that said judgments were rendered upon fictitious demands, and were never proven before the auditors; that Webster and some of the other owners of the Half-Breed tract of lands were prevented from appearing and defending said suit of



Johnstone and Brigham by fraudulent representation of plaintiff; that the sales were in fact never made by Sheriff Taylor, and that the whole returns of the sheriff on the execution were false and fraudulent."

The introduction of this testimony was objected to by the plaintiff, and the objections sustained by the court. When upon the foregoing testimony and rulings of the court, the parties rested their case and submitted it to the jury, when the defendant asked the court to instruct the jury as follows:

"1. That unless it was proved to the satisfaction of the jury that there were some person or persons within the territory of Iowa at the time of the issuing of the process, or who appeared at the trial or at some stage of the proceedings, that were within the jurisdiction of the District Court of Lee County, during the pendency of the suit of Johnstone and Brigham, upon which the title accrued, that owned or had an interest in the lands, they must find for the defendant.

"2. That unless they find from the evidence that there were owners and persons, or corporations other than the Government, who were owners, or had an interest in said lands at the commencement of these suits by Johnstone and Brigham, that they must find for the defendant.

"3. That unless it has been proven to the jury that the defendants sued by Johnstone and Brigham, and upon whose judgment plaintiff claims his titles, were a corporation by virtue of laws, and acting as such, and are liable as such, or a partnership firm by that name, or some kind of an association, who had assumed the name of owners of the Half-Breed lands in Lee County, that the plaintiff cannot recover.

"4. That if it is not proven to the jury that the judgments of Johnstone and Brigham were rendered against some person or persons, body corporate or association of individuals, whose existence has been proved to exist at the commencement of this suit, or at the rendition of the judgments, that they must find for the defendants.

"6. That a judgment against a dead person, who has no existence whatever, is no judgment at all in contemplation of law, and a sale under such a judgment is void."

These several instructions were refused by the court, and the jury returned a verdict for the plaintiff, and judgment was rendered accordingly.

The case was appealed to the Supreme Court and there ably argued. Daniel F. Miller and J. C. Hall appeared for Webster, and Henry W. Starr and Cyrus Walker for Reed, and the decision of the Supreme Court was adverse to the claims of Webster.

This suit virtually decided that the whole Half-Breed tract belonged to Reed, which decision, if he could have sustained, would have made him one of the richest men in the West. But a matter in which so many persons were interested, and involving so large an amount of property as was disposed off if this decision was to be taken as settling the title to those lands, did not rest on this decision. Reed found others who, notwithstanding this decision, were disposed to contest his right to certain portions of the Half-Breed tract.

This decision was made by Charles Mason, Joseph Williams and Thomas S. Wilson, (who were the three district judges of the territory, and jointly formed the Supreme Court) after Iowa had assumed a State constitution, and just as the territorial judges were about to retire from the bench.

After Iowa became a State the Supreme Court was changed, so that none of the old judges except Williams, remained on the bench.

Reed found that notwithstanding his success over Webster, that all of the settlers on the Half-Breed tract, were not willing to acknowledge the validity of his title and quietly yield to him their possessions, but if he wished to get possession, he had yet again to resort to the strong arm of the law. He brought another suit against one Wright to obtain possession of the South-east quarter of section two, in township sixty-five, north of range five west, and on this trial he proved that the defendant was in possession of the land; and other testimony was introduced similar, as had been in the case against Webster, and he undertook to offer in evidence the judgment in favor of Johnstone and Brigham, the execution and the returns thereon, and the sheriff's deed. To the introduction

of this testimony, the defendant objected, and his objections were sustained by the court.

Without this testimony the plaintiff could not sustain his case, and judgment was rendered in favor of the defendant, and Reed appealed to the Supreme Court.

This case involved the same questions as were argued in his case against Webster, but they were either presented in a different light than they were in the previous trial or the new bench had a different opinion of the law governing the case, for the State Court did not sustain the decision of the territorial bench.

In this case they held "that it was the right and duty of the judicial power in the State to decide all acts of the legislature made in violation of the constitution to be void. That the legislature of Wisconsin Territory could not curtail rights conferred nor confer rights withheld by the ordinance 1787. An act of the legislature of the territory of Wisconsin entitled an act for the partition of the Half-Breed lands and for other purposes, approved January 16, 1838, and an act supplementary thereto approved January 22, 1838; and also an act passed by the Iowa Legislature approved January 25, 1839, to repeal both of said acts, are repugnant to the ordinance of 1787, and also the organic law of Wisconsin and Iowa, and are therefore void. So also are judgments rendered by virtue of said laws. Void judgments are never binding, but judgments merely voidable may be enforced until reversed by a superior authority. Judgments from courts of general jurisdiction cannot be collaterally impeached unless absolutely void upon their face. In an action of right the plaintiff must recover upon the strength and validity of his own title, and should show a valid subsisting interest in the land, that no such interest can accrue from a void judgment."

In this case the highest judicial tribunal of the State decided adverse to Reed's judgment title. But the contest did not stop here; suits were brought in the Federal Courts and appealed to the Supreme Court of the United States, and the same rulings were given by that court as those made by the Supreme Court of Iowa, and Reed was forced to abandon all



interest which he had claimed by virtue of his judgment title.

The troubles growing out of the Half-Breed reservation, in various ways, was a fruitful source of litigation in Lee County for about twelve years. But after Reed's judgment title was declared by the courts to be based upon unconstitutional laws, and his pretended right to the land of no validity, and the courts had held that the decree of partition was valid and binding upon all parties, or at best had made no decision impairing that decree, the principal difficulties seemed to be between the real owners of the lands and those who had squatted upon them.

The decisions which had incidentally been made in the several suits pertaining to the Half-Breed lands, were such that stripped the settlers of nearly all the rights which they supposed were guaranteed to them by the several territorial laws enacted for their special benefit. By the decisions of the court the settlers could not claim for any improvements which they had made on the lands, other than as an offset to damages which the owners of the land might claim by way of rents.

When the settlers found that they were stripped of their supposed rights by the rulings of the courts, their feelings became very hostile against those who had been instrumental in prosecuting suits adverse to their interests, and attempts were made among the settlers to organize an armed force for the purpose of resisting the officers of the law if they attempted to execute any legal process by which the settlers were to be ejected from their possession in the Half-Breed lands.

About the time the litigation in relation to Reed's judgment title and the attempt to set aside the decree of partition had ceased, Judge Mason, who had been on the bench when the litigation commenced, and was familiar with the titles of the several claimants to these lands, purchased the interest of the New York Company, and Mason, feeling disposed to pursue a conciliatory course towards the settlers, proposed to sell the lands to those settlers upon them at a fair price or pay them for their improvements. The leading men who were occupying the lands which Mason had purchased, being satis-

fied to comply with his propositions, the spirit of opposition to the enforcement of the law died away, and the litigation about the Half-Breed tract ceased, and the titles become fixed and settled.

These disputes about the title to the Half-Breed lands, among those living on them, assumed to some extent a political cast. At the first election in the State for district judge, which took place the next April after the organizing of the State government, the interest of the settlers on the Half-Breed tract controlled the election.

In the judicial district embracing Lee County, Lacon D. Stockton, of Des Moines County, was the whig candidate, and George W. Williams, of Lee County, the democratic candidate. Stockton was a man about thirty years old, a good lawyer, of unimpeachable integrity, and a man every way calculated to make a good judge. But under the territorial government he held the office of prosecuting attorney for that judicial district, and in the course of his official duties had been called upon to give his opinion in relation to some legal questions concerning the difficulties about the Half-Breed lands, in which he gave his views of the law in writing adverse to the interests of the settlers on these lands.

Williams was a worthy young man but had had but very little experience in the practice of law, and under ordinary circumstances would not have been thought of for a position of this kind, but being a partner of Daniel F. Miller, who had been regarded as the settlers' lawyer from the commencement of these difficulties, and having entertained, like his partner, opinions favorable to the settlers' rights, gave him favor with them, and at the election he received nearly every vote in the Half-Breed tract, which, though the district had a decided whig majority, secured the election of Williams, the democratic candidate. But notwithstanding he owed his election to the votes of those interested in these local questions, when he came to act as judge on questions involving the settlers' rights, he did not, as judge, sustain the opinions of the law expressed as a lawyer, but decided right the reverse.

In electing representatives to the first State legislature, men were voted for with regard to their views in relation to these disputes, without reference to their political principles. At this election, Lee County, notwithstanding there was in the county a large democratic majority for State officers, sent to the legislature a representation partly composed of democrats and partly of whigs, the ticket elected having been made up of men who were favorable to the interests of the settlers on those lands, without reference to their other opinions.

If Lee County had elected a full representative ticket of whigs, or of democrats, there would have been a decided majority in both branches of the legislature. The representatives from Lee County, to a certain extent, acted independent of the two political parties, and the result was, the first legislature of the State failed to elect Supreme Judges or United State Senators, and for the first two years of the State government Iowa was not represented in the United States Senate. This combination of parties in Lee County created much interest in the State at the time, which will be noticed hereafter in connection with other matters.

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## HISTORY OF MAHASKA COUNTY.

BY CAPT. W. A. HUNTER, OF OSKALOOSA HERALD.

[Continued from page 302.]

### CHAPTER II.

The reader has doubtless observed that we make no special attempt at connection in this history. Our main object is to give the leading facts of interest as they come to our notice, and in doing so, we endeavor to state nothing but facts.

The commissioners' record, under date of May 25, 1844, contains the following important item: "Ordered by the board, that grocery license shall be allowed to grocery keepers in said county, for the sum of twenty-five dollars per year, and the same in proportion for a shorter time."

The question naturally arises here, what did this license authorize the recipient to sell? Was it coffee, tea, sugar, to-



bacco, fish, molasses or vinegar? A gentleman who knows all about it, says it was, almost exclusively, for the sale of intoxicating liquors—that the commissioners so understood it. There are some other points in this. First, a “grocery” license to sell liquor, and secondly, the power of county commissioners to grant such license; but these were primitive times, when people did as best they could.

On the commissioners’ book, under date July 5, 1844, we find the following, in relation to the revenue of the county: “Ordered, that there shall be collected for county revenue, five mills to the dollar, and fifty cents to be collected on each poll, and that one-half mill be collected on each dollar, for territorial purposes. The amount of revenue for the year 1844, as per assessment, is as follows: Amount of personal property, \$46,661. Tax on the same, at fifty cents on each hundred dollars, is \$233.30½. Tax on 498 polls, at fifty cents each, \$249.00. Territorial tax, one-half mill on the dollar, is \$23.35. Total, \$505.63½—with all of which the collector stands charged.”

Are there not some items of interest connected with this? The entire amount with which the collector stood charged, was but \$505.63½. At the present rates for collection, and we presume they were no higher then, the office of collector would not be a very lucrative thing. Again, it shows that there were then 498 voters in the county; and the territorial tax—that was for defraying territorial expenses—was but \$23.33. If people could get along with such nominal taxes now, they would feel it to be a very great relief; but it takes money to pay for advancing civilization and improvement.

From a record of the commissioners under date of July 8, 1845, we find the following facts: “Whole amount of taxes for 1844, \$505.63. Collected, \$361.99. Balance unpaid, \$144.64½. Fines collected, \$15.00. Signed, W. D. Canfield, Treasurer of Mahaska County.”

It appears from this report, that \$144.64½ was uncollected in July, 1845. This, we presume, was owing to foreign land owners.

At the September, 1845, meeting, we find the following record:

"Total amount of taxable property of Mahaska County for the year 1845, amounts to \$64,273. Amount of revenue on the above amount, at fifty cents on the one hundred dollars, makes \$321.36½. Territorial tax at one-half mill on the dollar on the above amount of \$64,274, makes \$32.13. The number of polls is 615, at fifty cents on each poll, makes \$307.50; making the sum of \$628.86 taxes for the county, and \$32.13 territorial tax; with all of which the treasurer stands charged."

The reader will observe the increase of valuation, taxes and polls, over the preceding year. The valuation in 1844 was \$46,661—in 1845, it was \$64,273. The taxes in 1844 were \$505.63½—in 1845, they were \$660.99. The polls in 1844 were 498—in 1845 they were 615. This shows the steady progress made during a single year, and that while the county was in its infancy.

We find that "the amount of taxable property in Mahaska County in the year 1846, is \$85,871. Fifty cents on the hundred dollars on the above amount, makes \$429.35½. The number of polls in Mahaska County in the year 1846, is 671. Fifty cents on each poll makes \$335.50. Fifty cents on each hundred dollars of revenue in Mahaska County for school purposes amounts to \$429.35. The Treasurer and Collector of Mahaska County stands charged with all of the above tax. Signed, G. W. Baer, T. M. C."

Here we have the first evidence of a school tax having been levied in the county.

In the Treasurer's report, dated January 6, 1847, we find the following interesting facts:

"Received county tax for the year 1846, \$354.14. Also for the year 1845, \$10.00. Interest on this last amount, \$5.00. Amount of school tax collected for 1846, \$201.67—amount uncollected, \$227.68. Amount collected from justices of the peace, \$10.00. Amount of real estate upon which the school tax for 1846 remains unpaid—John Montgomery, \$1.00, and

William Smith, \$1.50. Amount of territorial fund received, \$29.60."

This exhibit shows the financial condition of the county at that time. The condition of the school fund is especially worthy of remark. Not one half of the amount levied was collected the first year. It would be interesting to have the enumeration of the youth then in the county entitled to the benefit of the school fund. It must have been limited or the children went uneducated. This, however, was not strange, as such is usually the fate of new countries. The pioneers in a new country are entitled to many more thanks than they usually get. We know something of pioneer life, having located in a new country, and a dense forest at that, where the people endured all the inconveniences and privations incident to frontier life. Although we located in the county seat there were times when it was next to impossible to procure the actual necessities of life. We have traveled as much as three miles on foot, with a sack, for the purpose of procuring flour to maintain life, and, as the Yankee would say "toted" a few pounds—all we could procure—home upon our shoulder. Our principal living during the summer was bread, wild honey and blackberries. Berries were so abundant that we laid by a winter's supply. We speak of these as single instances, but might enumerate many others, were it necessary. The pioneers of this county, can, no doubt, tell many interesting stories about the privations, hardships and pleasures of frontier life, for it must be admitted, that while there are privations and hardships, there are "pleasures" in the early settlement of a country. Then it is that genuine friendship exists among all classes; the truth is, they cannot afford to do otherwise than be friendly, as they have many interests in common, and are dependent upon each other for assistance and protection. That feeling of aristocracy and selfishness that pervades an old country can find no place in a new. In the early settlement of a town or county, every man knows all the neighbors about him, and when they meet feel as if they were friends; but not so in older countries. Take our



cities and densely populated counties, as an example, and we scarcely know, and have no intercourse with our nearest neighbors. We do not charge this upon civilization and education, but an aristocracy and selfishness that is almost sure to possess the minds of persons after a country becomes very largely populated. Persons in the country do not realize so much of this as do the people of towns and cities.

We copy a portion of the commissioners' record dated January 5, 1846:

"Ordered, that John Scott be permitted to keep a ferry across the Des Moines river at the mouth of Raccoon river, near Fort Des Moines, by the said Scott paying the sum of ten dollars into the county treasury, and the clerk be authorized to give the said Scott license for one year from this date; and the said John Scott is hereby authorized to receive the following rates of ferriage: Two horses and wagon,  $37\frac{1}{2}$  cents; four horses and wagon, 50 cents; man and horse,  $18\frac{3}{4}$  cents; single horse, 10 cents; cattle per head, 10 cents; sheep and hogs per head, 5 cents; footman, 10 cents."

This shows that the authority to run a ferry near where the city of Des Moines now stands, twenty-two years ago, came from this county. Who can truthfully say that there has been no progress made in the country since that time? Look at the city of Des Moines, with her ten thousand inhabitants, as a refutation of any such idea.

As we have said since commencing to write this history, we are always anxious to correct any errors we may fall into, and are very thankful to parties who point them out to us. Mr. Welch, of the *Conservator*, of this city, very kindly made the following corrections. Wellington Nossaman is still living near the same place he did (now in Marion County) at the time of holding the election in question, and William Welch is living in Pella. We should have said Lake Prairie Township. He says there are some other small errors, but such as are scarcely worth correcting.

Mr. A. S. Nichols informs us that the first court was held in the house east, and immediately across the street, from the

one we named. We received our information from one of Oskaloosa's oldest citizens, who now lives in the county. It is possible that we misunderstood him, but be that as it may, we gladly make the correction, as we are satisfied that Mr. Nichols knows all about the matter. He further informs us that the house we described as being the place where the first court was held, was at that time occupied by Perry L. Crossman, a brother-in-law to our friend J. W. Jones, and that the judge boarded with him during the setting of the first court. After the house in which the first court was held was finished, Mr. W. D. Canfield removed into it and opened out a hotel. This house went by the familiar cognomen of the "Great Western," and was a home for man and beast. As there was much travel westward in search of homes, this house was very frequently well filled with men, and its barn with horses, as travelers at that day did not enjoy the luxury of railroad riding.

As we stated in a former number, Mr. Nichols lived at Brim's Point, about the spot where Kirkville now stands, Mr. Richard Parker on the McKinley farm, Mr. Canfield at the "Narrows," now Oskaloosa, and one settler at Black Oak Grove, name not recollected. These residences were all in the range of travel from east to west, and as there were no hotels in the country the travelers availed themselves of the hospitalities of these early settlers for food and shelter. As it would be natural to suppose, their houses were not the spacious mansions of which the country can now boast, but were single log cabins, just large enough for the accommodation of small families; but the early settlers of a country know too much about privations and the want of the actual necessities of life, to say nothing of the luxuries, to turn away a hungry and weary man or beast. Mr. Nichols informs us that it was no unfrequent occurrence to see the floors of these cabins strewed all over with tired and weary western hunters; and as the houses named were the only ones in the country, they were very certain to catch all the travel. Having had some practical experience in frontier traveling, we can realize very

clearly how those weary, westward-bound travelers enjoyed the luxury of these cabin hotels, and how eagerly the owners of them caught up every item of news from their guests.

On the first day of May, 1843, the Indians gave peaceable possession of all the country between the eastern boundary (about eight or nine miles west of where Fairfield, in Jefferson County, now stands, and about the same distance east of where Agency City now stands) and crossing at the mouth of Red Rock, in what is now Marion County. By this arrangement, this large and fertile section of country was opened up to the introduction of the white man and civilization; and as it was soon ascertained by eastern residents that it was naturally rich, dry, healthy and attractive, they soon began to flock to it in large numbers. We presume we hazard nothing in saying that no new country within the limits of the United States, ever filled up more rapidly than did the section here described. One of the modes of access was by water to Keokuk—the Key City—thence up the Des Moines river in such water crafts as could be procured, to points where they could move out by teams and wagons. We know of some instances of this kind ourselves. Capt. James Mathews, of Knoxville, father-in-law of Gov. Stone, availed himself of this mode of travel, when he came to the country, some twelve years ago. We had the good fortune to be well and intimately acquainted with the Captain many years ago, having been raised in the same township, in Ohio, with him. He represented one of the districts of that State in Congress for two and one-half terms, was a successful lawyer, has given much attention to horticulture, and is now the president of the Albia, Knoxville and Des Moines projected railroad. He is, perhaps, as well posted in the matter of horticulture as any man in the State, and is now largely engaged in the propagation of many varieties of the latest, finest and most popular grape vines, the strawberry, currant, &c. He is now the vice president of the State Horticultural Society, and we hope he will find it convenient to visit our city at an early day and give our people a speech on the general subject. He has promised



to do so, and therefore will do it. His experience will be of great value to our society in its infancy, and will infuse into it a new life and interest.

In the year 1843 or 1844, Thomas and Henry Mitchell procured a government permit to erect a bridge across a stream (name not now remembered) on what is known as the "divide road" between Oskaloosa and Des Moines, out of which they made, for those days, a "big thing." From the proceeds of this bridge they were enabled to open up a large and valuable farm, upon which one of them now lives. The other returned to Fairfield several years ago. This was a continuation of the thoroughfare from east to west, and enabled home-hunters to get further west than before.

The second board of commissioners for the county consisted of A. S. Nichols, S. Droulard and Harmon Davis, who were elected at the August election. On the 5th day of October, 1844, Messrs. Nichols and Droulard took their seats. At a meeting held on the 6th day of January, 1845, the whole Board was present and much business was transacted. As a matter of interest, we quote from the Commissioners' Record of October 9th, 1844, matter pertaining to the view, survey, &c. of the first road ever legally laid out in the county: "Ordered, that view and survey be granted for a county road, on the petition of John P. Majors and others, commencing at Oskaloosa, and thence to Levi Brainbridge's at Lake Prairie, by the way of the south-east corner of section seventy-six north, seventeen west, thence on said township line to the timber, and Stephen Cooper, Michael S. Morris and J. M. Rose be appointed said viewers, and David Stump, County Surveyor, on said view, who are to meet and lay out said road on the first Monday in November next, or within five days thereafter, as the law directs."

A commissioners' record, dated March 11, 1845, contains the following facts: "Ordered, that township seventy-five north, fifteen west, known by the name of Spring Creek township, be attached to Oskaloosa township."

These townships are still attached, the line running north

and south through the alley immediately west of the Gospel Ridge school-house, and the voting is all done in the city.

At the same meeting of the commissioners at which these townships were united, the order before spoken of in relation to the issuing of grocery license was revoked; and at the same session, a license was issued to Elias Whetstone to keep a grocery, for which he was required to pay into the county treasury the sum of fifty dollars—double what was required before.

At the same meeting the following record was made: "Ordered, that the country attached to Poweshiek County on the west, and so much of the attached part west of Mahaska County as lies west of range eighteen, and north of John Mikesell's, form a township to be known by the name of Washington, and the place of holding elections to be at Adam Tool's."

As we progress with our work, we find it becoming more and more interesting. To the old settler it is a matter of interest, because it refreshes his memory as to past events, while to the new settler it is equally interesting, because it posts him up as to the history of the past, and fits and qualifies him for a fuller and more perfect knowledge of the country. Persons should always endeavor to obtain as full a knowledge as possible of the county in which they live. The man who takes no interest in the progress and welfare of the country in which he lives, cannot, by any interpretation of language, be considered a useful citizen. While it may not be necessary for every one to be a politician and devote his whole time to that subject, it is necessary that every man should take interest enough in the country in which he lives, to become familiar with its history and progress, and this is generally true of the county. Every resident of Mahaska County has, or should have a deeper interest in its welfare and prosperity, than in that of any other county; and in order to this end, should acquire as full a knowledge as possible of that that goes to make up the county; hence it becomes necessary to go back to primitive times. What would be thought of a man who

would undertake to study Greek or Latin, without first acquiring a knowledge of our English alphabet? Would such an one be likely to ever become a thorough scholar? We think not. While it is not so important to have a full and complete knowledge of the early history of the county in order to a knowledge of it in its more matured and developed state, yet it is important to know these things, that we may know more fully how to appreciate what we now enjoy. It is often said that persons who do not take an interest in the increase and development of the county in which they live, in the way of important and valuable improvements, such as schools and school buildings, churches, morality, railroads, &c., &c., are not of any essential value to the country, and we are very strongly inclined to believe it.

We thought best to print this word of explanation and encouragement, in order, if possible, to infuse into the minds of the readers of this history more interest. Every thing we do should be done for a purpose, and that purpose always should be to benefit those by whom we are surrounded. This is the object of schools, churches and everything having in view the education, morals and religious training of the people. This same is true of newspapers. Having much to do with moulding and shaping public sentiment, they should always endeavor to inculcate sentiments and publish such matter as will benefit their readers both morally and intellectually. Having the last named object in view, we were induced to commence this history.

On the 8th day of April, 1845, the name of Jackson township was changed to that of Scott. This is one of the richest, most fertile and beautiful townships in the county. From a small beginning in 1843, it has grown into great wealth and population.

From an examination of the early records of the county, we find that the trade in wolf scalps was considerable. Persons were then entitled to fifty cents each for these scalps; and it was a frequent thing to see records of the payment of ten or more dollars for them at each meeting of the commissioners. The drain upon the treasury was so great, in the



then sparsely settled country, that at their meeting on the 7th July, 1845, the commissioners discontinued paying for them.

As persons generally feel "proud" of what they did in the early settlement of a country, we will refer to some of the acts of W. H. Seevers, now known as Judge Seevers, believing that he will take no offense at it. At the April meeting, 1845, of the commissioners, we find the following record: "Ordered that W. H. Seevers be allowed twelve dollars and fifty cents, for services in setting up notices of election." At the same meeting of the board, we find the following: "Allowed W. H. Seevers one dollar and twenty-five cents as chairman." Still at the same meeting we find the following records: "Allowed W. H. Seevers two dollars, lot funds, for services as deputy sheriff." Also, "Allowed W. H. Seevers three dollars for services as deputy sheriff." It will be seen from this that the judge did not consider it improper to "turn an honest penny." It is always better for persons, no matter what their rank or condition in life may be, to employ their time honorably and profitably, than to spend it loitering about doing nothing. Honest industry will always meet with its reward.

At the July, 1845, meeting of the commissioners, we find a record as follows: "Ordered, that White Breast township be hereafter considered for election purposes as an unorganized precinct, and that Edward Bilps, Michael S. Morris and Edward Droulard be appointed judges of the election in said precinct." At the same meeting we find a record to the effect that congressional townships 78 and 79 north, 17 west, and that part of township 77 north, 17 west, which lies north of the Skunk river, constitute one township, to be called Richland, and that the place of holding elections be at the house of John Godby. Also, that Union township be hereafter considered an unorganized township for election purposes, and that Daniel Satchel, (now an honored resident of Scott township, upon the farm of Mr. Ross, a resident of this city,) Nathan Brown and Ogden, be appointed judges of election, and that the election be held at the house of Nathan

Brown. Also, that Monroe township be hereafter considered an unorganized township for election purposes, and that M. P. Crowder, James Higgenbotham and Isaac Bedwell were appointed judges of election for the year 1845.

The first evidence we find of the appointment of assessors is at this meeting of the commissioners, when we see recorded the following facts: "That James Higgenbotham was appointed assessor for Monroe township, and Nathan Brown for Union township." We will show in our next how much money these and other assessors received for their services, and then what an assessor receives now, so that the reader may have some idea of the difference.

Having shown what Hon. W. H. Seevers did at an early day in order to "turn an honest penny," we will now say a word about his brother-in-law, M. T. Williams, Esq. It would fill a whole chapter of this history, and more too, were we to undertake to give anything like what Mr. Williams did. He was agent for selling lots, furnishing Court House with desks, chairs, &c., for which he received a very moderate remuneration. We may have occasion to speak of this at another writing. We find such a record as this: "Ordered, that M. T. Williams be paid two dollars and fifty cents for carrying chain on road." We cannot say whether Mr. Williams would now relish the job of carrying a chain on a road survey or not. Perhaps he would, and perhaps he would not; but be this as it may, he would not consider it degrading to do so. Honest toil is much better than indolence and want. If we wish to succeed in any business, we must labor. The farmer, mechanic, merchant, lawyer, doctor, minister, editor, or whatever his calling is, must work if he would eat.

Having devoted considerable space of this history to Mahaska County, we now propose to give some information in relation to the early settlement of the city of Oskaloosa, after which we will resume our remarks upon the county. It is possible, that in the course of our remarks, we have given the time when Oskaloosa was located and by whom; but as we desire to devote considerable space to the city, exclusively, will commence with the doings of the locating commissioners; and in

doing so, will be compelled to draw considerably from printed matter in our possession.

On the first Monday of May, 1844, the commissioners for locating the county seat, met at the house of Matthew D. Springer, and after looking over the whole ground fixed upon the "Narrows," now Oskaloosa, as the most eligible spot. These commissioners were Jesse Williams, of Johnson County, Ebenezer Perkins, of Washington County, and Thomas Henderson, of Keokuk County. The news having spread, that the commissioners were on hand for the location of the county seat, the people, though the country was but very sparsely settled, collected to witness the fact. There were three points pressed as suitable locations for the honor, to-wit: Six Mile, the Center and the Narrows, while a few persons favored the spot near where Matthew D. Springer lived. The commissioners, as Mr. Jesse Williams, brother of M. T. Williams, informed us, spent about one week in examining the whole field, and finally fixed upon the "Narrows" as the best spot for the whole county. By a vote of the people present at the time of the location, the town was named "Mahaska." It was the intention of the commissioners to have called it Oskaloosa, but were overruled by the persons on the ground. Why the people preferred Mahaska to Oskaloosa is not stated, nor do we see the object.

The county commissioners met on the 13th day of May, A. D. 1844, for the purpose of transacting the business of the county. Only two of the commissioners—A. S. Nichols and Robert Curry—appeared and took their seats on that day, but on the next day, the 14th of May, Wilson Stanley was duly qualified and took his seat. At this meeting the commissioners proceeded to lay out the county seat. Prior to making any records or opening up the commissioners' books, W. D. Canfield proposed that the name of the town be changed, as he did not like Mahaska. After some discussion, the proposition appeared to meet the approbation of the commissioners and the people present, and it was determined to make a change. This having been done, it became a matter of some interest to know what name should be given to the town,



when M. T. Williams, Esq., proposed the name of Oskaloosa, the name most desired by the locating commissioners. After considerable discussion, the question was put and decided in favor of Mr. Williams' proposition. We have seen several definitions of the word "Oskaloosa," but so far have seen nothing that is fully satisfactory to our mind. We asked Mr. Jesse Williams what interpretation the locating commissioners gave the word, but he was unable to tell. He said, however, that it was generally supposed to be an Indian word, but that the commissioners did not understand it. Their impression was, that it is a Spanish word, but did not know its proper signification.

The county commissioners proceeded at once to palt and lay out the town. It may be interesting at this point, although somewhat out of place, to give a record of the commissioners, made at their session, August 6, 1845: "Whereas, at a previous session of the commissioners, the clerk of the board was authorized to effect a loan of two hundred dollars, to enter the town quarter of land, on which the seat of justice of the county of Mahaska is located, and the said loan has been obtained of William Wilson, for which the commissioners have given their note, payable in twelve months from date, bearing interest at the rate of twelve per cent. per annum until paid, which is to be paid out of the lot fund."

As this "lot fund" was a matter of much importance at an early period in the history of the county, it may be well to explain what it means. As the foregoing record shows, the commissioners, under a then existing law, purchased the "town quarter," and paid for it by giving their note for the money, payable in twelve months, at twelve per cent. interest, a pretty round rate of interest, the reader will doubtless say, to be paid at that early day, when labor, provisions and lands were very cheap; but it was the best that could be done. Having become the purchasers of the quarter, the commissioners had a portion of it surveyed and platted into town lots. The reader will allow another digression from the main thread of our discourse, in order to arrive at an important matter in connection with the platting, &c. At this first meeting of the

commissioners, we find such a record as this: "Ordered by the board, that M. T. Williams be appointed an agent for this board, whose duty it shall be, to attend to the surveying and platting said town, and attend to such other business as may by him be deemed necessary in the absence of the board."

At the same meeting and on the same day, we find the following record: "Ordered by the board, that David Stump, county surveyor of Mahaska County, be directed to survey and plat 292 in-lots and 21 out-lots at the county seat of said county, and return said plat to said board, on Saturday the 25th day of May, inst." At a meeting of the commissioners held on the 4th day of July, 1844, we find the following record: "Ordered, that M. T. Williams be appointed agent for this board, to dispose of lots in the town of Oskaloosa, the seat of justice of Mahaska County, during the absence of said board, and he be required to insert in each certificate issued by him to purchasers of lots, a clause conditioned that the board of commissioners shall not be required to make deeds to purchasers until said board obtains a title to said town quarter from the United States." These records are all connected with an explanation of what is to be understood by this "lot fund." The "town quarter" being the property of the county, the lots were sold under the supervision of Mr. Williams, agreeably to the foregoing authority, and the proceeds applied to the payment of many of the incidental expenses of the county, as well as the payment of the two hundred dollars borrowed by the commissioners, to pay for the "town quarter." An examination of the commissioners' record, shows that a great proportion of the expenses of the county for some time was paid out of this lot fund.

The opposition of the friends of the other points named for the location of the county seat, was so very strong, that at a proposed public sale advertised to take place in June, 1844, very few persons were in attendance. The story having been industriously circulated that the county seat would probably be removed, the people would not purchase lots, and the result was, they went at such nominal prices the commission-

ers, after selling eight lots, stopped the sale. Thus matters remained, but few lots selling until after the August election, when the contest was decided in favor of Oskaloosa, which ended the controversy, since which time the town has gone steadily forward. In the following September several buildings were put up and occupied as business and dwelling places. The first dry goods store was kept by M. L. Smith and Thos. Cameron, in a small log cabin at the southeast corner of the square, near where the Agricultural Works now are.

Oskaloosa, the county seat of Mahaska County, is located near the center of the county, and is, therefore a fixture. There is no trouble in any quarter of the county so far as our knowledge extends, with its location, but all are contented with it. When the town was laid out, it was on a broad prairie, with scarce a tree or shrub near, but soon after it began to improve, the people planted cotton-wood, soft maple and other forest and fruit trees, until it now has the appearance of a forest. Persons from the east who visit the city in the summer season are perfectly astonished. An idea prevails quite extensively, that Iowa has scarcely a stick of timber in it—that the people, were it not for the coal that abounds, would actually suffer for the want of fuel and shade. How mistaken! We remember distinctly what awful stories we heard about this before coming to the State, but we soon saw upon visiting it, that it was all exaggeration. With the exceptions of Cleveland and Norwalk, Ohio, we do not recollect, in all our travels through a number of the States of the Union, to have seen a city or town more beautifully decorated with trees than Oskaloosa. The owners of lots have taken special pains to surround them with the most beautiful trees, the foliage of which is really charming in the summer season; and there is one other very apparent thing connected with this matter, and that is, trees grow about as much here in a single year as they will in many other States in three.

Oskaloosa is a city of the second class, in accordance with the statutes of the State, and contains a population of about five thousand persons. It is located two and one-half miles from the nearest station on the Des Moines Valley Railroad.



This, as we are creditably informed, (not having been a resident of the county at the time,) was the work of opposition to the growth and prosperity of the city, on the part of parties connected with the Valley road, but as matters are turning out, it is not going to do the city any injury. We now have a very fair prospect for having two other very important roads passing through the city—roads, either one of which, will be of infinitely more value to the growth and prosperity of the place, than the Valley. The Iowa Central, connecting St. Louis on the south, with St. Paul on the north, is considered by those best posted on the subject, to be a fixed fact; and W. T. Smith, Esq., who is director on the American Central road, returned a few days ago from a meeting of the board of directors, and is very sanguine that the road will be speedily constructed. This road has for its starting and ending points, New York City in the east, and Omaha in the west, thus opening up the greatest thoroughfare that any where exists from east to west, through the United States. It is confidentially expected that these roads will cross each other at this point, making it one of the best railroad points in the State. This may be regarded as “bragging,” but it is the sober truth.

Oskaloosa is about one hundred miles from Burlington and Keokuk, and about sixty-five miles from Des Moines, the capital of the State, and is located in the heart of one of the very best countries in the world. We think we hazard nothing in saying, that no country any where can surpass Mahaska County in the productiveness of its soil, the healthiness of its climate, the abundance of its coal, the beauty of its scenery, the abundance of its pure water, the pleasantness of its seasons, the morality and loyalty of its people are unsurpassed. We are not ignorant of the fact, that much has been and is now being said by persons east of Iowa, about high winds, cold winters, changeable seasons, want of timber, impurity of water, monotony of scenery, want of building and fencing material, &c., but it is all the result of a want of a practical information upon the subject. If the persons who talk thus would visit our beautiful and thriving young city and spend a

few days in investigation, they would very soon change their minds on these points.

As we have shown in other parts of this history, it is but about twenty-four years since Oskaloosa was laid out as a town, and at that time there were but few log cabins in the place. Now it contains an actual population of about five thousand persons, all of whom are engaged in some kind of business. There is this one remarkable feature, if no others, about the place—it has but few idlers. We have remarked this feature, particularly, for three years, and find it to be in advance of almost any town we were ever acquainted with in this particular. There appears to be no room or call for this class, and the result is, we are not troubled with them. We have now in active operation a number of good schools, occupying the time and labors of twelve or more good and competent teachers. This is independent of the college, which institution requires the services of a number of very competent and good christian men as teachers. For school facilities the city contains as good advantages as any city of equal population in the State; and what is still better, the people voted a school tax this spring sufficient to raise ten thousand dollars a year. This shows that our people have the cause of education deeply at heart, and that they are willing to spend their money in that way.

### HISTORY OF JACKSON COUNTY, IOWA.

COLLATED BY F. SNYDER, EX-EDITOR JACKSON COUNTY SENTINEL.

Jackson County was organized in the year 1838, and comprises in area fourteen full and six fractional townships. It was surveyed by Col. Cox and a Mr. McDaniel. Its principal towns are Bellevue and Sabula, on the "Father of Waters," Maquoketa, on the Maquoketa River, and Andrew, the county seat.

"The character of the soil is rich and fertile, and the ranging heights and diversified scenery on the banks of its numerous water courses, present an abundance of beautiful building sites."

To Hon J. D. Edmunson .....

Des Moines Iowa. ....

Public exercises attending the unveiling of a monument to Hon. Thomas Cox, pioneer legislator (Illinois 1818, Iowa 1838) will be conducted under the joint auspices of the Jackson County Historical Society and the Maquoketa Valley Pioneers and Old Settlers Society, at the City of Maquoketa, Iowa, in connection with the celebration of July Fourth, 1905.

The honor of your presence on that occasion is respectfully requested, as

A Member of The Iowa Pioneer Law Makers

.....  
Association.

*The favor of a reply will be sincerely appreciated.*

Address:

HARVEY REID,

Chairman of Invitation Committee.

Maquoketa, Iowa.



**HON. THOMAS COX.**

FROM AN OIL PAINTING MADE WHEN HE WAS 26 YEARS OLD.





**T**HOMAS COX bore a very prominent part in the earliest history of Iowa. Appointed deputy United States surveyor in May, 1837, he was assigned to the survey of ten townships in Jackson County, became a resident therein, and was elected in the fall of 1838 to the House of Representatives in the First Territorial Assembly. He was re-elected for the Second and Third Assemblies. In 1842 he was elected to the Territorial Council for two years. He was elected Speaker of the Third House without opposition, and was elected President of the Sixth Council despite an adverse political majority. He was an industrious, vigilant legislator, and a ready parliamentarian. He bore an active part in making Iowa City the capitol of the new Territory, was author of an amendment giving it that name, and was one of the surveyors who laid out the town site.

He was a pioneer of pioneers. Born in Kentucky in 1787, he removed in 1809 to Kaskaskia, the ancient capitol of Illinois, when it became a Territory. In 1822 he became one of the first settlers of Springfield, having been one of the first owners of its site. He was a resident of Wisconsin Territory proper, of Iowa when it was a part of Wisconsin, and died in Iowa before it became a State.

He was Acting Sheriff of Randolph County, Illinois, in 1810, when that and St. Clair Counties were the only ones in the Territory. He was not only a member of the First Territorial Assembly of Iowa, but also of the First State General Assembly of Illinois, having been State Senator from Union County in 1818-20. He was Register of United States Land Office in Springfield, Illinois, 1823 to 1827. His military title is supposed to have been gained by service in the Creek Indian war under Gens. Coffee and Jackson.

In the Black Hawk war, he shared in the dangers and glories of the most active command in the final scenes of that struggle, having been a member of Maj. W. L. D. Ewing's Spy Battalion, in Gen. James D. Henry's brigade, which bore the brunt in both of the important battles of Wisconsin Heights and Bad Axe.

He died on his claim near Maquoketa November 9, 1844, and was buried under a fine hickory tree still standing near the site of his log cabin. His remains have been removed to Mt. Hope Cemetery, in Maquoketa, and will be marked by a large granite boulder suitably inscribed. This monument is itself typical of the rugged nature and pioneer history of the man it commemorates. It is a remnant of an ancient moraine that marks the boundary between the Kansan glacial drift and the remarkable "Driftless area of North America," and has been planed by glacial attrition to a surface, thus naturally prepared for an inscription.—H. R.

## *Official Boards.*

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### *Maquoketa Valley Pioneers and Old Settlers Society.*

HON. W. C. GREGORY, Pres.

J. NOTT NIMS, Vice Pres.

JAMES W. ELLIS, Sec. and Treas.

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### *Jackson County Historical Society.*

HON. GEO. L. MITCHELL, Pres.

HARRY S. LITTEL, Vice Pres.

JAS. W. ELLIS, Sec. and Curator.

HARVEY REID, Treas.

W. C. GREGORY

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DIRECTORS.

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HON. GEO. L. MITCHELL, Pres.

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It is one of the best watered counties in the State, and is well supplied with timber, principally white oak, black walnut, white walnut, hickory, elm, sugar and basswood. Its water power is unsurpassed for manufacturing purposes. Upon several of its streams are erected flouring mills, saw mills, and woolen factories. Mr. Robert Becker, late of Le Claire, Iowa, has the best water power at Canton, on the Maquoketa, twenty miles above Maquoketa City, that there is in the State. The soil in the valleys is a first-rate, black, sandy loam, several feet in depth; hence it is a good agricultural county. The ridges are generally second and third-rate soil, with a subsoil of clay, or, in some instances, ferruginous sand, and produces fine crops of wheat, potatoes and other root crops. The rocks belong to the "Upper Magnesian limestone" formation, and are well adapted for building purposes.

The first court held in the county convened at Bellevue, June 18, 1838, and was presided over by "Hon. Chas. Dunn, Chief Justice of the Supreme Court of the Territory of Wisconsin, and presiding Judge of the District Court of Jackson County." The following persons were the grand jurors: Thos. S. Parks, Samuel S. Drapen, John Stuckey, J. D. Bell, D. G. Bates, J. S. Mallard, W. H. Vandiventer, C. H. Harris, Benj. Hudson, Obediah Sawtel, M. Seymour, S. Burlison, Jerry Jones and Joshua Howel. D. G. Bates was appointed foreman. The court appointed W. A. Warren crier, and Elisha E. Barrett and David Hetrick "constables of the court." W. H. Brown was appointed "District Attorney for the present term." Edwin Reeves, Esq., was appointed "Attorney for the territory for the present term." The first case on the docket was the United States vs. Absalom Montgomery, on recognizance for arson. "On motion of T. S. Burnett, Esq., Thos. Drummond, Esq., a practicing lawyer in the State of Illinois, is admitted to practice in this court." John H. Rose was appointed Clerk of the court.

Second term, September, 1838; Hon. Chas. Mason, Chief Justice of Iowa Territory, presiding; R. G. Harker, Esq., and J. G. Arnold, Esq., District Attorneys; J. K. Moss, Clerk.

On the forks of the Maquoketa, about eight miles west of Maquoketa City, is located a cave which ranks among the greatest curiosities of the West. It extends about an eighth of a mile under ground, and terminates in a large circular room, capable of accommodating five hundred persons. The cave, its entrance and surroundings, are of a singular picturesque wildness and beauty. A beautiful stream of cool, sparkling water flows gently between the hills above, on under the natural bridge, then trickles down through the rocks, and passes through the cave. After passing through the cave, its banks are composed of perpendicular walls of solid rock, a hundred feet high, which gradually diminish in height until the stream enters the Maquoketa River.

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### THE FIRST NEWSPAPER AND PRINTING PRESS IN IOWA.

#### THE FIRST AND LAST EDITORS AND PRINTERS FOR THE OLD PRESS.

[The following history of the first newspaper printing press of Iowa, we first found published in the *Dubuque Herald*, several months ago. We are not aware who is the writer. It is worthy of preservation in the ANNALS, and we give it a place.]

A paragraph has recently been running the rounds of the Iowa press, and appeared also in the papers of some other States, assuming that the first printing press in Iowa is still used in printing a paper in one of the northern counties. Similar mistakes have been made at different times in the statement that the first Iowa press was in use in other localities.

Without referring to the many blunders which have been made by the press itself in relation to the history of the State and of Iowa newspapers during the first twenty-five years of our Territorial and State existence, we will give a few facts concerning the first paper and the first press. •

To John King, of Dubuque, belongs the honor of engaging alone in the first newspaper enterprise in what is now Iowa. He came here from Ohio in 1834, and having the foresight to perceive that "Dubuque's Lead Mines" would attract the elements that would eventually build a prosperous city, he



determined in the fall of 1836 to establish a newspaper in the mining village of Dubuque. He passed the following winter in Ohio, and in the spring of 1836 went to Cincinnati and purchased a Smith press and the necessary type and material to publish what would now be considered a small weekly paper. The discretion which led him to discover the value of a newspaper in building up Dubuque, led to another discovery—that he wanted a good man to set type and to help edit the paper. He found a young man at Chillicothe adapted to his purpose. He was Wm. Cary Jones, afterwards a successful editor and publisher in New Orleans, a son-in-law of Hon. Thos. H. Benton, and subsequently a very successful lawyer in San Francisco, where he died in 1867. Mr. Jones was Judge King's principal assistant the first year. Judge King made another discovery in finding Andrew Keesecker at work on a newspaper published in Galena. He imported him to Dubuque, where he set up the press, placed the type in the cases, and was ready for "copy."

He also set up the first type in Iowa, in the words "The Linwoods"—a story which occupied the most of the first page of the first number of the "Du Buque Visitor." The motto of the paper was, "Truth our Guide—the public Good our aim;" the date—"Dubuque Lead Mines, Wisconsin Territory, May 11th, 1836." The alleged fact in connection with the date, was of course a historical falsehood, but it was allowable in such an enterprise to anticipate what would naturally soon occur. The truth was, at that date, that all of Iowa, Minnesota and Wisconsin was under the territorial jurisdiction of Michigan. It was a month after the "Visitor" appeared, before the act of Congress was passed making the three States named "Wisconsin Territory." The act took effect on the 4th of July in that year. Two years afterward, Iowa and that portion of Minnesota west of the Mississippi became "Iowa Territory." The Smith press was for several years worked by Mr. Keesecker, who also set his own editorial without reducing it to "copy."

The paper changed owners and names several times in the first five years. Its first change was to "Iowa News," in

1838—then "Miner's Express," in 1841—then merged into "Express & Herald," in 1855, of which the present Dubuque Daily, Weekly and Campaign Herald is the successor. It became a Democratic paper in 1837, and has continued so since.

Mr. K. is still a compositor in the Herald office, having set type steadily for Dubuque and Iowa readers for a period of thirty-two years. Judge King lives at his ease in his fine mansion in the north part of the city. He literally sits under his own vines and by the side of his own fig trees, though he fails to make the fruit of the latter as profitable as his grape crop or his newspaper.

But the history of the old press is the main object of this sketch. About the year 1842, the old press and material was sold to a stock company for use in publishing a paper—the "Grant County Herald," still living at Lancaster, in western Wisconsin, and was edited by Gen. H. A. Wiltse, now of Minnesota.

A few years afterwards, the enterprising J. M. Goodhue, who had written many interesting sketches of the Upper Mississippi lead mines, for the Galena papers, determined to establish the first paper in Minnesota. He purchased the same old press, conveyed it in the winter to the Mississippi, and moved it, by ox power, on the ice to St. Paul, where it was for a long time used to print his "St. Paul Pioneer." But the old Smith press almost valueless at Dubuque, soon sent it onward in pioneer newspaper work—the want of larger presses to print larger papers for a greater number of more reading people. Mr. Goodhue lived to require a larger press, and to see civilization continue to extend westward to the Missouri and along its northern tributaries.

In 1858, the old press, after twenty-two years service, was placed on wheels and again by ox power hauled over the prairies, through the forests, around the lakes and through the streams to Sioux City Falls, a town on Big Sioux River, in what is now Dacotah Territory, and about fifteen miles from the south-east corner of Minnesota, and within a mile or

two of the north-west corner of Iowa. Here was printed, in that year, the first paper in that territory, then unorganized, the whole country north of Iowa and of the Missouri River being included in Minnesota. The paper was called the *Dacotah Democrat*, edited by Samuel Albrecht. J. B. Barnes, at present a compositor in the Times office, Dubuque, set the type and did the last press work at Sioux Falls City, in that year. It also printed, about that time, the "message" of the "people's government," who died before some of his few neighbors met a more horrible death in the Indian massacre of 1862. In march of that year the Sioux Indians burned the town, killed many of the inhabitants and rendered the place desolate for many years. The small building containing the old press was among those burned. Its "bed" was warped by the heat, its "lever" was stopped for the last time, it had given its last "impression," and still lies among the rubbish of Sioux Falls City, though the town has recently been rebuilt and reinhabited.

This old pioneer press, therefore, printed the first newspaper on the immediate banks of the Upper Mississippi, the first in Iowa, first in western Wisconsin, first in Minnesota, and the first in Dacotah Territory. It was worked over twenty years in the valley of the Mississippi before it became the first press in the great valley of the Missouri. And yet the old press, associated so intimately with the settlement and development of four States and Territories, was manufactured in the first of the north-western States, only thirty-eight years ago. Steam power and cylinder presses have, in that time, taken the place, to a great extent, of the arm power and hand press of thirty years since. This reminiscence will, however, be of little interest except to those who are connected with or admire or practice the "art preservative of all arts."

The facts are given, not only to correct the alleged history of this press, but to suggest the propriety of procuring the remains of such a public servant for deposit in the rooms of the Iowa State Historical Society.

**MEDICAL DEPARTMENT OF THE IOWA STATE UNIVERSITY.**

BY S. W. HUFF, M. D.

The Medical Department of the State University is beginning to make a part of the history of that institution, and notwithstanding the briefness of its history, it seems to be not only not clearly understood, but misapprehended and misunderstood, judging from a few newspaper articles which have come under our notice. We propose to give the action which has transpired relative to it as we know it, and the reasons which influenced and determined action as we understand them.

In the enactment of the last (12th) General Assembly which appropriated twenty thousand dollars for the uses of the University, authority was given its Trustees to provide for "such other Departments as they may deem proper to establish."

Vested with this authority which reads very much like a mandate to establish other departments, the trustees at their annual meeting in June last established the LAW DEPARTMENT, drawing partly from the money appropriated by the State, and depending partly upon receipts to be derived from students for its support.

The chairs were immediately filled by competent gentlemen, and the department was opened at once. A success from the beginning. A class of twenty students have been pursuing their legal studies since the opening of the University year, under the instruction of the three eminent jurists who fill the respective chairs of the department.

At that meeting of the board which established the Law Department, the Medical Department was a subject considered, but its establishment was accompanied by greater and graver difficulties than of the former. And although the board were unanimous in opinion as to the desirableness of the department, which would complete the plan contemplated in the organic law of the commonwealth, in building up a University for the instruction and complete education of its youth, and also of the special necessity at this time, with as little delay as possible, of a first class medical school within



the State, and within reasonably easy access to those desiring to qualify themselves for the duties of that useful and honorable profession. The difficulties which confronted them seemed at that time insurmountable.

The department of medicine is of necessity larger and more expensive than any other single department. The greater number of separate sciences embraced within its curriculum of study, demands a greater number of separate chairs, each of which implies compensation to a teacher. Its prominent field of studies are such of the natural sciences, as require apparatus, cabinets of collections, material for physical investigation, and altogether require amplitude of room to give favorable facilities for the pursuit of the various branches, requiring an expenditure beyond the remnant of the appropriation left after launching the law department and meeting the incidental expenses of the institution for the biennial period to the next legislature.

The subject was therefore laid over without definite action for future consideration, and the board adjourned to meet in September.

September came, and with it came the Board of Trustees to the State University. A board nearly full. One member only being absent. The subject of the Medical Department came up in the regular order of business—of the “unfinished business” of the June session, and the board entered upon its consideration with views and purposes materially modified since that meeting. Approaching it not as then as a desirable end unattainable, but as a proposition reasonably feasible of accomplishment: for in the meantime many of the difficulties which environed its inception had been removed, or found removable. Thus: a large item in computing its expense had been the salaries of the professors of the seven chairs necessary to the department. But if seven competent gentlemen, such as the board would be satisfied to instal into the seven chairs permanently,—such as they should, after thorough enquiry become satisfied possessed the requisite qualifications for medical teachers, and should select for the positions; would be willing to discharge the duties of the introductory

term without pay for that term; trusting to the intelligent and liberal action of the next legislature, which would convene before the time for the opening of the second term, to provide for the future of the department, this the chiefest difficulty in the way was removed.

2d. Another item of expense of magnitude in the computation had been the procuring and fitting up of suitable rooms for its use. But it was now settled upon that certain rooms in one of the University buildings, could with but slight inconvenience to other University interests, be diverted from their present use, and appropriated to this, and with but a few hundred dollars expense, be conveniently fitted for its purposes.

3d. The splendid and costly chemical laboratory, apparatus and philosophical appointments of the University could by giving the professor of that department of the University charge of the chair of chemistry in the medical department, be made to wipe out another heavy expenditure always to be counted in making up the bill of items of a medical school; and at the same time give to the students of the department the benefit of the finest apparatus in the country, and talent of the highest order in this department of science.

Granting then that these points could be secured, the way seemed opened to its immediate establishment, with the same prospect of immediate success which had attended that of the law department, already entered upon its career of usefulness. The whole plan seemed practicable upon investigation, and at the conclusion of the deliberations of the board, the following resolutions were unanimously agreed to as a basis of future action :

*Resolved*, That there be and hereby is established a department in the University which shall be styled the Medical Department.

*Resolved*, That the Faculty of the Medical Department shall consist of the President of the University and the Professors occupying the several chairs of the department.

*Resolved*, That the chairs of the department shall for the present be styled as follows:

- 1st. Surgery.
- 2d. Anatomy.

3d. *Materia Medica.*

4th. *Obstetrics.*

5th. *Physiology and Microscopic Anatomy.*

6th. *Principles and Practice of Medicine.*

7th. *Chemistry.*

*Resolved*, That all tuitions and fees received from the students of the department, shall enure to the benefit of the department.

*Resolved*, That the several Professors in said department shall serve without compensation until such time as the Board of Trustees or the legislature shall provide for the same.

*Resolved*, That the opening of the department shall take place, if practicable, at the commencement of the University year of 1869 and 1870, and instruction shall be given therein until the last week in March, and so continue from year to year.

*Resolved*, That the immediate government of the department shall be in the Faculty, who shall provide all needful rules and regulations for the government of the department, and report the same to the Board of Trustees for approval, and shall at the close of each year report to the board the past operations and present conditions and wants of the department, with such other matter as they shall deem proper.

*Resolved*, That a committee of three, consisting of Messrs. Black, Bullis and Ross, be appointed, whose duty it shall be to recommend to the board the names of suitable persons to be elected as Professors in the department, and to make all other needful provisions for the successful opening of the department at the time above indicated, and to the end that the persons so recommended may have timely notice of their election, said committee, through their Chairman, President Black, shall report the names of the persons and the reasons of their nomination to each member of the board by letter; and it shall be the duty of each member of the board to endorse his approval or disapproval on said report, and return the report and endorsement to the chairman, and if a majority of the board shall approve of the action of the committee, then such action shall be taken as binding on the board, and the chairman of said committee shall immediately notify the Professors-elect of their election.

The committee appointed under this resolution gave earnest attention to the work of appropriately filling the chairs of the department, reduced to six by the adoption of the plan of establishment; the chair of chemistry, by Prof. Hinrich, being, as before indicated, a part of the plan submitted. Judge Dillon was at once and unanimously fixed upon for the additional chair of medical jurisprudence. We believe that these gentlemen both consented to give to the infant department the benefit of their great abilities in the respective duties of these positions.

Five chairs remained to be filled. Were there among the

medical men of the State, eminent for scholarly acquirements and superior intelligence in their profession, that number willing to give unpaid service for one College term of six months? It was believed they would in due time be found.

At this point, however, commenced the prime difficulty in the way of a speedy organization. Not for the want of applicants for the positions, payless though they were. That applications or consents enough to fill all the chairs several times over would be made or could be had, could not have been doubted by the committee, or, if so, not very long; but that men *fit* for the various positions, as teachers, could be found who could *afford* to give the time and service required unpaid, was the question of paramount interest to be determined. For this class of medical men are, as a rule, poor, the fact being well established that it is the adroit men,—the managers,—the tacticians,—the “strategists,”—the charlatanically inclined of the profession, and not its thorough students and men of learning, who, under ordinary circumstances, become rich from its practice. The *fact* of professional learning, implies an amount of time given to study, and physical investigation, and attendance to the details of scientific research, incompatible with that watchfulness of financial transactions and “sharpness” of business deal necessary to the acquisition and accumulation of riches.

One or two gentlemen of high professional standing and superior qualifications, signified their willingness to accept positions upon the terms proposed. It was thought others would, upon *call*, do likewise; but acceptances were few, and the presentation of testimonials came in slowly. However desirable the position may have been thought to be by gentlemen of the competent class of the profession,—for a call to a professorship in the medical department of the University of the State is not to be regarded indifferently or treated lightly by the lover of medical science or the devotee of professional practice,—as opening a field of usefulness not to be achieved in the ordinary routine of professional business; and also as placing him under the necessity of the pursuit of science with facilities for so doing which do not obtain in its



ordinary spheres of duty;—however desirable for these and other reasons, and however high his appreciation of the value, the dignity and the honor of the place, there is a *bread* interest to be first considered, and the old question of the “where withal to be fed and clothed” for himself and the dependent ones, before so great a change and so great a pecuniary sacrifice as six months absence or even abstinence from business, with its incidental risks and losses, are to be first settled in the mind before the acceptance can be given. And besides, the appointment carries with it the prospect of permanency—a permanent change of habits long established, and in some cases possibly a necessary change of home and associations cherished. At this date the chairs are not filled. That they will be with not many months delay, there are very good reasons for believing, within the knowledge of the Board.

During the first days of December, the Trustees held a third meeting. The Board this time came together upon call of its President, Governor Merrill, for the consideration of several important matters relative to the interests of the University—concerning University buildings, and other questions which had arisen since its last meeting. At this meeting the committee appointed to nominate professors for the chairs of the medical department, took occasion to report their action, and its discussion was a part of the proceedings of the meeting. After mature consideration, action was continued by the adoption of the following resolution offered by President Black:

*Resolved*, That the Board reiterate their conviction of the necessity of a medical department in the University, and the desirableness of its equipment as the way may be opened up; but inasmuch as the meeting is by no means full, and the testimonials thus far too limited, the election of the several chairs is postponed to the next meeting, and the committee on nominations continued.

Thus ends action upon the subject, and in this stage of embryotic growth is the medical department of the State University.

We have thus followed, directly and succinctly, its history, keeping in view the exact action, and the reasons therefor, as we understand them. Whatever may be thought, even by

the enemies of the department,—and they are few—of the expediency of beginning its establishment at the present time, it will be admitted that the Board have pursued a consistent and undeviating course, going no faster nor further than facts and circumstances justified, taking no step backward, and with increased encouragement at every stage of the advance. That it is demanded by the necessities of the day, is equally patent to those who give attention to the State's educational wants; and at each step they have been sustained by approving words of the State's best men, both in public and private life, and by the press with much unanimity, and additionally entrenched in their convictions and judgment by every circumstance and every fact which action and investigation has developed.

Approving the action which has been taken, its friends throughout the State will patiently bide the fullness of time for the culmination of their work.

### THE RED PIPESTONE QUARRY.

On the mountains of the prairie,  
On the great Red Pipestone Quarry,  
Gitche Manito, the mighty,  
He the Master of Life descending  
On the red crags of the quarry  
Stood erect, and called the nations,  
Called the tribes of men together.

\* \* \* \* \*

From the red stone of the quarry  
With his hand he broke a fragment,  
Moulded it into a pipe head  
Shaped and fashioned it with figures;

\* \* \* \* \*

LONGFELLOW.

[The following sketch of a trip to the celebrated Red Pipestone Quarry, has been furnished by the author in duplicate copy—one to the ANNALS the other to the AMERICAN NATURALIST, Salem, Mass., to be published simultaneously in the January numbers of each. The Naturalist will publish a diagram intended to illustrate the topography of the locality, which we omit. But it will be very well understood without it; and its absence will not essentially lessen the interest of the description.]—EDITOR.

### A Trip to the Great Red Pipestone Quarry.

BY C. A. WHITE, M. D., STATE GEOLOGIST.

The Great Red Pipestone Quarry from whence the Indians occupying a large portion of the North American continent

have from time immemorial obtained the material for their pipes, has become almost as famous among those who speak the English language, as among the Aborigines themselves, who, to some extent at least, regard it as a sacred place. This is largely due to the interest which has been excited by the observations of Catlin and Schoolcraft upon the habits, customs and legends of the Indians, but more especially to the unique, poetic form in which our much-loved Longfellow has rendered some of them in his "Song of Hiawatha." Before the reader goes farther let him take down this strange song and read the "Peace Pipe," after which he will better understand the references that follow. In addition to this I will give the substance of the legends which occur in various forms among the Indians of the North-west concerning this famous locality.

"Many ages ago the Great Spirit, whose tracks in the form of those of a large bird are yet to be seen upon the rocks, descending from the heavens, stood upon the cliff at the Red Pipestone. A stream issued from beneath his feet, which falling down the cliff passed away in the plain below, while near him, on an elevation, was the Thunder's nest, in which a small bird still sits upon her eggs, the hatching of every one of which causes a clap of thunder. He broke a piece from the ledge and formed it into a huge pipe and smoked it, the smoke rising in a vast cloud so high that it could be seen throughout the earth, and became the signal to all the tribes of men to assemble at the spot from whence it issued and listen to the words of the Great Spirit. They came in vast numbers and filled the plain below him. He blew the smoke over them all, and told them that the stone was human flesh, the flesh of their ancestors, who were created upon this spot; that the pipe he had made from it was the symbol of peace; that although they should be at war they must ever after meet upon this ground in peace and as friends, for it belonged to them all; they must make their calumets from the soft stone and smoke them in their councils, and whenever they wished to appease him or obtain his favor. Having said this he disappeared in the cloud which the last whiff of his pipe had

caused, when a great fire rushed over the surface and melted the rocks, and at the same time two squaws passed through the fire to their places beneath the two medicine rocks where they remain to this day as guardian spirits of the place, and must be propitiated by any one wishing to obtain the pipe-stone before it can be taken away."

While tracing up to their original ledges in north-western Iowa and the adjacent parts of Dakota and Minnesota, the boulders of red quartzite profusely scattered in the drift of western Iowa and eastern Nebraska, I was led to visit this famous locality, and now propose to give a brief description of its real character and surroundings. But while correcting the fallacies of the Indian legends no wish is entertained of diminishing popular interest in them, nor in the beautiful rendering of them by the poet; yet every naturalist, however attractive legendary lore or poetic forms of expression may be to him, really desires to know the exact truth, even if it diminishes the pleasure he feels in the enchanting narrations of the story, or song.

Leaving Sioux City and going northward along the east side of the Big Sioux river, we soon pass the northern limit of the bluff formation, with the strange beauty of its smoothly rounded hills, we enter upon the broad prairie which continues without interruption far to the eastward, still farther to the northward into Minnesota, and farther still to the westward towards the Rocky Mountains. Rocks of cretaceous age are occasionally exposed in the bluffs of the river for a dozen miles above its mouth, but being friable they are soon lost from sight beneath their own debris and the heavy drift-mantle that everywhere covers the earth; and the only rocks we see in many miles of travel are occasional boulders of granite and red quartzite imbedded in the deep, rich soil. Streams of considerable size traverse some portions of this wide region, but they are hardly able to arrest the fierce fires of the prairie which annually prevail, for they rush up to their very margins, and sometimes even leap the watery space and carry on their work of destruction beyond. A few clumps of willows upon their margins and a few groves upon the islands or in



the bends of the streams, only escape destruction, and are the only objects remaining to give diversity to the landscape except the bald bluffs bordering the larger streams.

A journey of eighty miles over such a country as this brings us to the north-western corner of the State of Iowa, where we first find ledges of the red quartzite in place, which we have traced as scattered boulders, step by step from the Missouri State line more than two hundred miles away to the southward.

Following up the Big Sioux from this point we find the quartzite exposed at frequent intervals along the valley, and reaching Sioux Falls, twenty miles by way of the crooked river, but only ten miles in a direct line north-westward from the State corner; we find a magnificent exposure of the same rock extending across the river and causing a series of falls of sixty feet in aggregate height, within the distance of half a mile, which for romantic beauty are seldom surpassed.

This quartzite is of a nearly uniform brick-red color, intensely hard, quite regularly bedded, the bedding surfaces sometimes showing ripple markings as distinct as any to be seen upon the sea-shore of the present day, and which were made in the same manner untold ages ago, when this hard rock was a mass of incoherent sand, the grains of which were now distinctly visible. In a few localities it presents the characters of conglomerate, the pebbles being as clearly silicious as the grains of sand are. At Sioux Falls, Fort Dakota is located. Those who have never enjoyed the hospitality of our distant military posts, can not appreciate the full meaning of that word as we did in the welcome extended to our tired party by Col. Wm. A. Olmsted, the commandant, and Dr. J. Frazer Boughter, the surgeon. After divers and sundry ablutions, rendered all the more necessary by many days of toil and travel upon the open prairie beneath a July sun, we prepare ourselves for a day's rest under the protection of our newly found friends and our country's flag.

At Sioux Falls, near the top of the exposure, a layer of pipestone occurs intercalated with the quartzite, which leads us to believe that the rock at the famous quarry is the same,

and we decide to visit it. After discussing the probabilities of there being roving parties of hostile Sioux in the vicinity, and the necessity for the presence of the good Doctor in his hospital for a couple of days, it is finally agreed that he shall accompany us under the escort of an Indian guide given us by the commandant. Our guide, we are assured, is "a pretty good Indian," notwithstanding the fact that he was one of Little Crow's band who were engaged in the massacres at New Ulm and Jackson, Minnesota—the recital of which by the survivors has made our hearts sick as we have listened to them upon the scenes of the butcheries where the marks of their violence still remain—for it is not six years since all that happened? and did not the missionaries labor faithfully with him during the two years of his imprisonment at Davenport for his crimes?

The morning rose clear and beautiful after a refreshing rain of the previous night, and off we go, "six precious souls," including the reformed baby-killer, who rides before us on his pony, with that posture and carriage peculiar to the Indian, his legs dangling upon each side as if every bone in them had been broken and had united by cartilaginous union, while we, the other five seated in our camp wagon follow upon the dim road or the *tepe trail* over the broad prairie, striving to keep in sight of our guide, who is sometimes several miles ahead of us. Our course is about north-north-east from the fort, and when we lose sight of the narrow, interrupted belt of trees which skirts the Big Sioux, not another tree greets our vision in the whole journey of forty miles save a single elm by the side of a small creek where we halt to take our mid-day meal. Here our guide tells us we must gather a bundle of faggots from the willows of the brook which last year's fires had killed but not consumed, or we shall have no camp-fire at the Pipestone, where we must pass the night.

On we go, after a hasty meal, for twenty miles of our journey is yet to be made, and we lose sight of the only tree we shall see until we return to the fort. There is nothing around us or beneath us but the gently undulating prairie with its dense growth of grass and flowers, and nothing above us but

the open sky. Twice or thrice we detect small exposures of the red quartzite in the depressions occupied by the small prairie streams, with their surfaces scored by the boulder-laden glaciers which moved over them long ago. Now and then a solitary boulder, fellows of those that scored the surfaces of the rocks in place, peers up out of the rich loamy soil. Now and then the whitening skull of a buffalo or the huge cast-off antlers of an elk, partially hidden by the rank grass, arrests our attention, but these are familiar things and we pass the time in conversation upon various topics until late in the afternoon, when our guide halts upon an eminence before us. Upon coming up he merely says "pipestone," as he points forward, and there three miles away in the distance is the famous spot.

We had not expected to see conspicuous features of the landscape any where in such a region as this, and yet we were somewhat disappointed to find that the narrow ledge of rocks in the broad shallow valley of a little prairie creek, lying entirely below the general prairie level, constitutes all there is of the Great Pipestone Quarry. As far as the eye can reach in every direction, no "mountain of the prairie," no grove, no tree, no habitation, no living thing except a few birds, is in sight.

From our maps and government surveys we know the spot is within the State of Minnesota, about thirty miles in a direct line from its south-western corner, and three or four miles from its western boundary. Approaching it, the exposure of rocks appears much greater than it did in the distance when it looked like a mere line of broken rocks in the open prairie, for our view then took in the whole region for many miles around it.

The principal exposure of rocks is about a mile in length from north to south, in both of which directions it becomes gradually lost from view beneath the surface of the prairie, it faces the west and reaches its greatest perpendicular height, about twenty feet, where "Gitche Manito the mighty," is supposed to have stood when he took his wonder-

ful smoke, and where the brook falls over it into the plain below. All the rock we see is the red quartzite and a few granite boulders whose original home is still further north, and we look sometime in vain for the pipestone, for our guide volunteers no information and we have forgotten in our eagerness to ask him. But our cook calls to supper, and all of us having satisfied our hunger, a difficult thing by the way, for *Mazachistina* alias John Baker, whose appetite seems as insatiate as that of a grist-mill. Having finished this delightful task, he becomes more communicative, and goes to show us the pipestone, which deposit of aboriginal treasure we find in the plain an eighth of a mile west of the principal exposure of rock, occupying a shallow ditch a quarter of a mile long, and running parallel with it. The pipestone is in somewhat thin and usually shaly layers, and only from eight to twelve inches in aggregate thickness, and is the lowest layer found here. The red quartzite rests immediately upon it, and is four or five feet thick at the ditch, and must be removed to get the pipestone. This has been accomplished with great labor by the Indians, for they do not even now use suitable implements to remove it. The ditch occupies about the middle of the space referred to as the plain, and from it the ground rises gently both eastward and westward. To the westward the rise to the general prairie level is uninterrupted, and no more rock is seen in that direction. To the eastward the gentle rise is interrupted by the abrupt face of the quartzite ledges, between which and the ditch frequent exposures of the same rock are seen upon the nearly level surface. The actual height from the pipestone in the bottom of the ditch which is about the lowest point in the vicinity, to the top of the ledges, which point is just below the general level of the prairie, is only forty feet, but the dip of all the rocks to the eastward is such as to show an actual thickness of strata amounting to one hundred and fifty feet. This dip causes the top ledges to disappear rapidly to the eastward beneath the marshy surface, and they are seen no more in that direction. The "Medicine rocks," towards the southern end of



the plain, rest directly upon the glacier-smoothed surface of the quartzite. We see the distinct stride beneath and around them, and feel almost as if we had caught them in the very act of making their tracks, for they are granite strangers from the northward, and we have visited the place where they were born, and know them and their generation. The two largest of these boulders are some twelve or fifteen feet in diameter, and are the ones believed by the Indians to cover the two squaws mentioned in the legend. Along the low and less abrupt portions of the ridge of rock, the surface has a glazed and sometimes even polished appearance, which the legend refers to the effects of the fire through which the squaws passed beneath the Medicine rocks, but being a geologist and not an Indian, I would suggest that it was produced by grains of sand carried by the almost constant winds and taken up from the soil, which although fertile, contains many square yards of the glacier-smoothed surface at the Medicine rocks, and are covered thickly with Indian hieroglyphics, made by pecking the hard surface with sharp-pointed stones. These are of various grotesque forms intended to represent persons, animals of the region, turtles, and very many also *in form of the tracks of a large bird*. It is getting dark and we defer collecting specimens of pipestone until morning, and repair to camp and to bed. But memories and passing incidents crowd so thickly upon us that we cannot sleep. A summer storm is sweeping along to the northward of us. We see its dim flashes and hear its mutterings in the direction of the "thunder's nest." That thunder was surely not hatched there, but before darkness overtook us at the "nest"—which by the way is a scarcely perceptible rise of surface—we had found upon the bare rock two or three pairs of the eggs of that "small bird" mentioned in the legend. It is the night hawk. We smiled at the strange conceit that the hatching of the eggs causes thunder, but we were nevertheless startled at the unearthly rumbling cry of the parent bird as it swooped down over our heads while we were carrying its treasures away.

The morning comes and we ramble along the creek to replenish our wasting bundle of faggots. A few stunted common willows (*salix longifolia*?) grow along the banks, but no "red willow" (*cornus stolonifera*), the bark of which under the name of Kinnikinnick is smoked by the Indians in the place of tobacco, grows here. The red grass (*phragmites communis*) grows in all wet places here as well as throughout the north-west, but it is seldom if ever used by the Indians for their pipe stems. They commonly use a strong piece of young ash wood from which they punch the pith to make the bore. The form and size of the pipes made by the Indians requires so large a piece of stone that we have no difficulty in obtaining all the specimens we desire from the rejected pieces strewn upon the ground. Our specimens packed in the wagon and our camp broken up we start on our return to the fort by the tepe trail. Mazachistina mounts at the same time but starts off towards the Medicine rocks, around which he makes a rapid turn and overtakes us upon the road. He is utterly silent when we ask him why he went there, but we should doubtless be thankful that we got away with our pipestone in safety from the wrath of the guardian spirits of the Medicine rocks.

But some one asks—"What is this pipestone, and what is its composition?" It is chemically a clay—silicate of alumina—colored brick-red with peroxide of iron. It is too heavy for pipes for white men, and is valued by them almost entirely for its legendary interest. It is heavier, harder and in every respect inferior to meerschaum—silicote of magnesia—yet the finer specimens may be worked without much difficulty with a common saw, file or knife, and readily takes and retains a considerable polish. Geologically it is metamorphic clay, as the quartzite is metamorphic sandstone. It was originally a layer of clay intercalated between layers of sandstone and the same metamorphic action that changed the latter to a quartzite, also converted the clay into pipestone.

## HUMMER'S BELL.

BY SANFORD W. HUFF, M. D.

Ah, Hummer's bell! Ah, Hummer's bell!  
We've heard thy last, thy funeral knell,  
And what an aching void is left,  
Of bell and Hummer both bereft.  
*Thou*, deeply sunk in running stream,  
*Him* in a Swedenborgian dream.  
Both are submerged, both, to our cost,  
Alike to sense and reason lost.

WM. H. TUTHILL.

Twenty years ago, at Iowa City, then a thrifty village with green pasture plats, and hazel covered hillocks, and unbridged brooks, and bridle paths, in places where now are business blocks, and closely tenanted squares, and gardened enclosures, and public highways, there occurred one of those intense public excitements which come not often to a community. It was occasioned by the rapidly spread rumor that one Rev. Michael Hummer, a noted character, was making demonstration toward the removal of the bell from the new North Presbyterian Church.

This Hummer had once served this Church as its pastor, but that relationship had been broken off some months before by formal ecclesiastical action. From all the facts which we have gathered from the old settlers and other sources, concerning this Reverend gentleman, it is not too much to say that he was a subject of very general dislike, and his presence in the neighborhood dreaded by many, in consequence of their belief in his unscrupulousness of character. Whatever may have been the foundation of this belief, whether justified by his previous acts or not, we do not pretend to say. It is patent from the testimony that such feeling existed.

The character of the man in the opinions of his former flock, and the peculiar character of the act he had essayed to perpetrate, are the sources of the profound emotion produced within the breasts of the astonished citizens.

It must be remembered that a bell in a "Church steeple," at that day, was a thing of a value not easily measured; and this particular bell was to the community a treasure. It was

the only one, not only in the town, but the only one west of the Mississippi towns; possibly even those towns had not yet reached that point of social maturity to be called together by the "Sabbath bell." How that may be, we are not advised. This bell was "alone in its glory" in all the country round about. Not only so, but it was intrinsically a gem of a bell. Its material was of unusual fineness; its tones were of unusual clearness and sweetness; it rang out its music from the Church belfry, on Sabbath mornings, with a resonance that reached to remote neighborhoods, and bade the flock "come," and conveyed to them the Church's welcome. And besides, it was a *gift*, and as such sacred. Large-hearted Christian men of the afar-off "down East," sympathizing with the Christian efforts to establish Churches in the frontier settlements, and recognizing the difficulties under which Church edifices were built and Church appointments procured, had caused it to be cast out of the choicest material, and sent as a gift to this Church. Upon it was engraved the names of the donors and the Church for which it was made.

In view of all these relative points of interest, it was a thing of pride to all the people. Whether a member or not of the church that wore it, each inhabitant felt that he had an individual interest and ownership in it.

In summing up these facts concerning it, it is not difficult in imagination to comprehend the "scene" when the word passed from one to another that Hummer was in the act of abducting this people's jewel from its aerial casket. But it is only through the imagination with these conditions understood that that public sensation becomes appreciable now, to those with whom church bells are a matter of course; trifles in value to the wealthy congregations of the present day, and little regarded because so common. The public excitement was intense. History is said to repeat itself. Could some ancient Puritan who witnessed the "descent" of the

"Famous Captain Kid  
As most wickedly he did  
Sail"

into the harbor of some lonely seaport village of New Eng-



land, to the dismay of the villagers, have realized Dr. Franklin's wish of the possibility of being hermetically sealed within a vessel of proper capacity and kept in a state of suspended animation for a few generations, and then resuscitated to look out upon his country—to such an ancient, looking upon Hummer's ascent to the belfry, and then upon the public agitation which it produced, there would have been no doubt a recognition of a historic repetition of the old-time sea side panic at sight of the pirate Captain's craft.

The ground of Hummer's proceeding grew out of the fact, we suppose, of his having been the church's agent in receiving, or rather the agent of the donors in conveying it to its destination; or both. Out of this relationship to the parties to the transaction, he either had acquired, or found ground for an excuse to lay a claim of ownership to the bell; notwithstanding it had been delivered to the church as its property, and had been in its undisputed possession many months; notwithstanding it carried upon its brazen bosom the lettered vouchers of the church's ownership; notwithstanding he had ceased to be the church's agent or pastor.

But to return to the "scene." Capt. Irish in his recently published history of Johnson County, (October number *Annals*, 1868,) has given a graphic description of the transactions of the eventful day of Hummer's attempted abduction, which made it famous, and fixed upon, it for all time to come, the style and title of "Hummer's bell."

While we would refer our readers to that history for the particulars of the story, it is necessary to the continuity of our sketch to give a condensed statement, which we will do in a few sentences, drawing our facts chiefly from the history above mentioned.

Hummer had an accomplice; the accomplice staid below and Hummer ascended the belfry, unhung the bell and lowered it to the ground; the accomplice went for the wagon to convey it away; Hummer "waited for the wagon" in the belfry; citizens remove the ladder; Hummer is a prisoner in the belfry; citizens bring a wagon; Hummer indulges in powerful expletives, threatens war, and lets slip such warlike

missiles at the heads of the throng as his limited arsenal afforded, consisting of pieces of scantling, fragments of boards and brick. Citizens load the bell into the wagon, Hummer helplessly "sees it" all; the wagon is driven away; the bell disappears, and Hummer "don't see it" any more forever. Citizens mockingly rejoice and go their respective ways; Hummer is kept "in durance vile" until accomplice arrives, and by replacing the ladder lets him down. The bell is secretly deposited at the bottom of the Iowa river. But the citizens have seen and heard it for the last time, for it was stolen from the hidings, and re-hidden at another point of the river, where it remained until it was ultimately transported secretly to Salt Lake City and sold to the prophet of all the Mormons, where it has remained in seclusion until a recent date.

Silent, so the story goes; not a tone of its sweetness has ever been wasted upon the desert air of that remote region; literally, "mute as a bell without a clapper," for its clapper was left behind when it was spirited away,—a lonesome, rusty and unlovely thing in its enforced divorcement, now and for years past doomed to inactive imprisonment in the cellar of Thomas Hughes, Esq.

At that time Iowa City was the Capital of the State, and hence its legislative, judicial and political center. Hither came men from every section, on business relating to these departments, and others, of public affairs. The story of Hummer's strange proceeding and the denouement was told them; the public indignation sympathized with; the story repeated; commented upon; laughed at; rhymed about; reported to their home newspapers as an item of startling news from the Capital; and thus received publicity throughout the State. The bell became famous and Hummer notorious.

We said that it was rhymed about. The poetic effusion with which we have introduced this sketch, dates back to that day. It was the production of a *legal gang* in a jolly hour between the court sittings. The inceptive movement of the "Nine" being given by Hon. John P. Cook, then a "gay and festive" genius of both law and song, who improvised

the first verse of the song of which our quotation is a part, and sung it to the judge and attorneys to their infinite delight.

"Ah, Hummer's bell ! Ah, Hummer's bell,  
How many a tale of woe 'twould tell  
Of Hummer driving up to town  
To take the brazen jewel down;  
And when high up in his belfree  
They moved the ladder, yes sir-e-e;  
Thus while he towered aloft they say  
The bell took wings and flew away.'"

After several encores the muses, always capricious, seeming to have deserted their first favorite, passed their inspiration to another of the convivial gang, Hon. Wm. H. Tuthill, who then and there produced the balance of the song with a spirit which gives evidence of the possession of the needful "afflatus," and with a finish which gives equal evidence of the scholar. The whole song, the production of this festive occasion, in which several gentlemen since eminent in the State, participated, may be found in the July number of the ANNALS for 1864.

Many years passed before any definite clue was had of the bell. Rumor, with its many tongues, located it here and there, and thither, in a great variety of places;—in wells, in vaults, in the earth, in the river ; southward, northward, in the town center.

We have learned from the unwritten history concerning the affair, that Hummer consulted certain "spirits" with which he was said to be in supposed "rapport," and that they rapped out the intelligence that it was buried beneath the State House.

By the way, we hope to be indulged in an "*aside*" remark here—that we have our opinion of these spirits. We have no very high opinion of the whole class of these invisibles who go rapping about against plastered walls and bed-posts and tables, and tipping over valuable furniture, and breaking crockery "by order" of sickly women for the edification of weakly men. We think it an exhibition of bad taste, to say the least, for the perpetration of which sane men would be called to an account, and children called naughty, and per-

haps treated to a punishment peculiar to youthful years. But these particular spirits, we believe to have been of the lying and good-for-nothing kind. We insist on being understood that we do not present this as a historical fact, but as our opinion, for the defense of which we have two good reasons which we are not averse to giving. First, because of the statement hereinbefore made concerning the whereabouts of the bell, which shows their designation of its locality to have been, an untruth. Secondly, because of the fact that they were so utterly useless in their "sphere," so utterly "out of a job" as to have nothing better on hands than to enter into the service of a man whose many imbroglios, to say the least, had destroyed his influence for rendering of any available use the trans-valley intelligence which they imparted, a condition of inutility to which we cannot think any good honest spirit would like to confess.

But to return to the bell. Years passed and no definite tidings of it came. Finally, a returned California gold-seeker "confessed to the soft impeachment" of having been one of a party who removed it on his out-going trip to Salt Lake City. This was believed by some; by others not. Salt Lake in those days was a great way off, and communication slow and interrupted. No further corroboration of the statement came, and after many years the subject died out of the conversation, but lived in the memory of the old settlers. And this brings us to a letter from the Mormon Prophet.

While engaged in the preparation of his County history, Capt. Irish had occasion to examine the records of the Presbyterian Church, through Rev. S. M. Osmond, its pastor, whose interest became so thoroughly awakened concerning the bell, under the developments of this investigation and these interviews, that he addressed at once a letter of enquiry to Brigham Young, and by return mail received the following

EPISTLE OF THE PROPHET OF THE LATTER DAY SAINTS.

SALT LAKE CITY, U. T., 3d November, 1868.

REV. S. M. OSMOND, *Iowa City, Iowa:*

*Sir*—Your favor of the 18th inst. is before me. It is now several years since I first learned the history of the bell about which you write me, and I at once



caused Mr. Asa Calkins, one of my clerks, who resided at Iowa City at the time the occurrence took place, and who was acquainted with all the circumstances relating thereto, to write to the Pastor and Deacons of the Church to which it belonged, telling them it was laying here, was no use to us, and was subject to their order, and would be delivered to them on their meeting the expenses.

Your letter is the first I have heard about the matter since that time. The bell is still laying here idle, as it always has done, and is at your disposal on the same conditions, whenever you please to send for it, accompanied with sufficient evidence that you are authorized to receive it for the congregation for whom it was manufactured.

Yours respectfully,

BRIGHAM YOUNG.

Thus it will be seen that the bell is at last certainly found. It will again discourse its music from its ancient site. The place has been kept vacant for its restoration. With a strange presentiment of the wanderer's ultimate return, which has seemed at times like infatuation, has this wealthy Church declined the procurement of another for the vacant place.

But it comes back to speak to another generation—a stranger people. Not one in a thousand of those who will listen to its returned cadences, will have ever listened to them before. The hand that applied its first fastenings lies in ashes in the cemetery. He whose hand guided the rein when it was borne from the Church and secreted from Hummer's reach (Eli Myers), sleeps across the plains; and few there are of those who rallied to its defense in that hour of its peril, will be here to give it welcome. Its tones, as they strike the public ear on the first Sabbath morning of its return, will be a sermon enforcing with more than human emphasis the text that

"Life! It is even a vapor that appeareth for a little time and then vanisheth away."

And the recoiling sound-wave as it is sent in echo from hill and forest, will repeat the preaching,

Life \* \* \* \* \* vanisheth away.

## HISTORY OF WASHINGTON COUNTY.

BY IRVING A. KECK.

We shall attempt to give the readers of the *ANNALS* a brief history of the early settlement and subsequent progress of Washington County. That it contains imperfections, we do not doubt, but we have endeavored to arrive at the facts in each and every case as nearly as possible. In many instances we have had to rely entirely upon the memory of those immediately interested, and they having but little occasion to recall incidents so long past, have in many instances forgotten everything but the main facts. I am in possession of a manuscript history of the county, written by Mr. Bolens, and upon which he had spent a great deal of labor, and from which I have obtained many facts and incidents. I am also indebted to many old settlers for kindly furnishing me with many incidents and anecdotes that I could not have otherwise obtained.

At a time when the State of Iowa formed a portion of the Territory of Wisconsin, Washington County was organized, by an act of the Wisconsin legislature, into a county under the name of Slaughter, in honor of the then Secretary of the territory. This was in 1837; but during the first year but little immigration came to the county. The only inhabitants, so far as we can learn, were the Gobles, and perhaps two or three other families on Long Creek, in the eastern part of the county; Wm. and Amos Moore, in Marion township, on Crooked Creek; and Lauman Harvey, on widow Stewart's farm, one mile south-west of Washington, with perhaps a few others in the vicinity of Brighton, constituted the white population of what is now Washington County.

In 1838, however, the county began to settle up, and records of the transactions of its inhabitants are first made. In this year a town was laid out in Oregon township, near and south of Ainsworth, by some said to be on the farm now known as the McEllherron farm, as the county seat of the new county, and called Astoria. No plat of this town appears on record, and but little of its history can be learned. We

learn of but one building being erected in the place, and that was a log house, about sixteen feet square, for a Court House, but it was never completed as such, and no court was ever held in it. Thus passed away the first town and seat of justice in Washington County.

On Monday, the 7th day of May, 1838, the first District Court was held in and for the county of Slaughter, by David Irvine, Judge of the Second Judicial District of Wisconsin Territory. The court record says it was held at Astoria, but we learn from other sources that it was held on the farm of David Goble, in Oregon township, under a large oak tree. The grand jury held its sessions in one of the adjacent sloughs. As we are not positive of the location of the county seat at this time, this may have been at Astoria. Thomas Baker was appointed Clerk of the Court, who gave bonds for \$2000, with Nelson Ball and David Goble as sureties, and taking the required oath, entered upon his duties. The United States Marshal is not named in the record, although he seems to have been present and summoned the jury. A temporary seal was ordered, an impression of which is on record, and was taken from an old style ten cent piece. No indictments were found, no trial had, and the court, after ordering allowance for one day's services to the officers and jury, adjourned until next term.

On the 22d day of October, 1838, the second term of court was held, under a proclamation of the Governor, by Joseph Williams, Judge, who appointed Thomas Baker Clerk. G. A. Hendray, Deputy Marshal, was present; and the record says, no persons appearing either as parties, attorneys or jurors, the court was adjourned to the next term.

There had been two petitions circulated for names and presented to the members of the legislature, praying that the name of Slaughter County be changed to that of Washington. On the 25th of January, 1839, the legislature of Iowa Territory assembled in Burlington, and passed an act establishing the county of Washington. This act also changes the name from Slaughter to Washington, and appoints John Gilliland, of Louisa County, Thomas Ritchey, of Henry County, and

Wm. Chambers, of Muscatine County, commissioners to locate the seat of justice; establishes the temporary seat of justice at Astoria; and attaches all of the territory west of said county to it, for judicial purposes.

The first term of court held in the county under Iowa law, was on the 17th day of June, 1839, by Judge Williams. A temporary seal was ordered at this court, but no impression appears on record. A grand jury was impaneled, but found no bills of indictment. The first case on record was for trespass. Three hundred dollars damages were claimed by Joseph Field and Dennis Marks, surviving partners of the firm of Stone, Field & Marks, against Milo Holcomb, which was settled at defendant's costs. J. B. and G. W. Teas were plaintiffs' attorneys, and Isaac Van Allen for defendant. G. W. Teas is known to more recent settlers as a Methodist minister, and he now lies buried at Washington, having died in 1863. The first divorce case was begun in 1839; John D. Wood and his wife Elizabeth being the parties, and at the next term John was divorced. Senator Grimes was one of his attorneys. The first criminal case was tried in 1840. Lester Wallace was indicted by the grand jury of Muscatine County for passing fictitious bills, who obtained a change of venue to this county. He was found guilty and sentenced to three years imprisonment in the penitentiary at Fort Madison.

The county officers at this time were, Joseph Neil and Joseph B. Davis, County Commissioners; Thomas Baker, Clerk of the Board of County Commissioners; Nathan Baker, Judge of Probate; John B. Houston, Treasurer and Collector; Almon Moore, Recorder; John Crill, Coroner; Milo Holcomb, Sheriff.

Of these officers, the most important were the Commissioners, who, being the financial and business agents of the county, were held accountable for its good or bad management. They held their first meeting at the house of Richard Moore, about four and a half miles south-east of Washington, on Monday, 5th day of May, 1839. The first order on record is the adoption of a seal, no impression of which is, however,



on record. At this session the county was divided into the following precincts:

1st. East Fork, township 74 and 75. range 6. Elections to be held at the house of John W. Neil.

2d. Crooked Creek, township 74, range 7. Elections to be held at the house of Milo Holcomb.

3d. Skunk River, all of the country south of Skunk River. Elections to be held at the house of Orson O. Kinsman.

4th. Walnut Creek, the country included between Skunk River and the center of the prairie, between said river and the west fork of Crooked Creek. Elections to be held at the house of Robt. Risk.

5th. Washington, the country included between the center of the prairie between Skunk River and the west fork of Crooked Creek, and the center of the prairie between the west fork of said creek and English River. Elections to be held at Washington.

6th. English River, the country between the western boundary of said county and the center of the prairie between the waters of English and Iowa rivers, and the waters of Crooked Creek. Elections to be held at the house of Simon P. Teeple.

Thus it seems that the county fathers made no provision for elections for a greater portion of Jackson township and all of Highland, for the probable reason that there were no residents, and according to popular opinion at that time never would be on these large prairies. Nearly all of the settlers were to be found near the timber, and it is only within a few years that they have begun to settle at any great distance from the timber, which is always found skirting the streams.

The first grand jury which appears on record, was selected by the Board of County Commissioners, whose duty it then was, and was as follows: Wm. B. Thompson, Thos. Wilson, Wm. Ayers, David Goble, sr., Wm. Basey, John Lyon, Matthew Morehead, Richard Moore, John W. Neil, Jesse Hiatt, Thos. Ritchey, Abraham Hulock, John Hulock, Wm. L. Harvey, Nelson Ball, Nathan Griffith, Geo. Parks, John Stout,

John Grimsley, Harrison Goble, John Maulsbey, Daniel Powers, David Goble, jr., Wm. M. Fancher.

Of this number Matthew Morehead and Wm. L. Harvey are the only ones who are still residents of the county, the others having either removed to other parts of the world or have been removed by death. Mr. Morehead lives in the extreme south-east corner of the county; Mr. Harvey about eight miles south-west of Washington. The second session of the Board of County Commissioners was held at the house of Nathan Baker, now owned by the estate of James Law, on the 13th day of June, 1839. At this session it was ordered that the seat of justice of Washington County, which was located on the south-west quarter of section 17, township 75 north, range 7 west, by Thomas Ritchey and John Gilliland, who were duly appointed commissioners for that purpose by the legislative assembly of the territory, be known and designated by the name of Washington. This and the preceding session were special sessions of the Board of County Commissioners. It will be observed that notwithstanding the county was organized in 1837, it was not until two years after that its organization was complete, so that we may safely say that the civil government of Washington County was in perfect order and permanently established in the summer of 1839.

The first regular session of the board was held at Washington on the 1st day of July, 1839. At this meeting, the clerk of the board was ordered to advertise a sale of lots in the town of Washington. Joseph Crill was allowed twenty-four dollars for assessing the poll tax and taxable property of the county for the year,—a very moderate salary for a county officer.

On the 7th of September, 1839, an order for erecting a temporary Court House was made, and on the 21st of October Milo Holcomb, sheriff, offered the same at public outcry, and it was struck off for seven hundred and fifty-nine dollars to Joseph Neil. On the 23d of November, a written contract was entered into for the erection of this building on the lot now owned by A. W. Chilcote, and occupied by Chilcote & Brothers on the south-west corner of the square. On the 8th

of July, 1841, this house was received by the county from the contractor upon deducting one hundred dollars from the contract price, because the work was not done in a workman-like manner. The building is now used by M. C. Kilgore as a stable on his premises, in the north-east part of town.

April 7, 1841, Wm. Pickerel was licensed for two dollars a year to keep a ferry across Skunk River, above his mill, which then stood where the Brighton mills now stand. The rates of toll were  $6\frac{1}{4}$  cents for each footman; horse and man,  $12\frac{1}{2}$  cents; single horse and wagon, 25 cents; two horses and wagon,  $37\frac{1}{2}$  cents; for cattle, sheep and hogs,  $6\frac{1}{4}$  cents per head, driver in all cases included. This was the first ferry established in the county; this ferry was licensed to Thos. J. Gordon July, 1843. On 3d of July, 1848, Thompson Dray received license for five years for two dollars for the first year and such amount as may be determined by the board for the remainder. The same day the clerk of the board was required to give notice by written advertisement, in three of the most public places in the county, that the building of a wooden jail will be let out by private contract on the 1st day of June next. Alex. Lee, J. B. Davis and Thomas Baker secured the contract, and were ordered to build the jail on lot three, block eight.

On the 13th day of August, 1842, the following appears on record:

Received of the Board of County Commissioners the sum of \$1020, as follows: \$984 in county orders on the town of Washington, and lot five, block two, lot six, block eleven, for thirty-six dollars, all being in full payment of my several contracts to build, finish and complete a county jail in said town of Washington. Witness, &c.

ALEXANDER LEE.

By which it appears the other two contractors were relieved in some manner, and Mr. Lee assumed the whole contract. This building stood upon the lot just back of N. Everson's large brick building, and was used as a jail until it became a perfect disgrace to the county, when Norman Everson purchased it from the county and demolished it. Since then the

county has been without any such receptacle for its criminals, but sends them to Muscatine to be boarded.

On 5th of October, 1841, the Board ordered that the Clerk contract with Albert Sturgess, for seventy dollars, for the enclosure of the public square by the first of April next. The contract was made, and subsequently extended to the first Monday in July, 1842, but for some reason, the enclosure was never made under the contract.

January 3, 1844, the county was, for the first time, divided into the following townships: Iowa, English River, Lime Creek, Crawford, Marion, Washington, Cedar, Brighton, Dutch Creek and Clay. On the first Monday of April, 1845, English River, Lime Creek, Dutch Creek, Brighton and Cedar townships were organized into townships. Wm. R. Harrison was employed for one year from January 7, 1845, as attorney and counselor for the Board, at a salary of twenty-five dollars per year.

February 18th, 1845, a contract was entered into with Alexander Lee for the building and completion of a Court House in the town of Washington. On the 7th of July, 1847, Mr. Lee presented the Court House for acceptance, but the Board rejected it, and, upon agreement, the matter was referred to Henry Guseman, Lyman Whitcomb, David P. Sturgess, B. P. Baldwin and P. C. McKinney, who deducted, on account of carpenter work on the cupola, \$50, on the balance of the building, \$110, which was accepted by the parties. This is the building now used by the county as a Court House, and with whose homely phiz every citizen of the county is familiar.

On the 13th of April, 1847, Mr. Lee, the architect of this magnificent structure, was allowed to have any of the unsold lots in Washington at five dollars each, on his Court House contract. This price seems now to have been very low indeed, but it must have been considered high at that time, as Mr. Lee does not appear to have taken much advantage of the liberal offer of the Board.

The last session of the Board was held on the 28th day of July, 1851, at which time the only business transacted was



the levy of taxes for that year. The Board, at this meeting, was composed of Michael Hayes and John B. Webster, the third Commissioner, Mr. Robinson, being absent.

#### POLITICAL.

In the earlier days of county existence, politics did not trouble its inhabitants to any very great extent; one reason of which probably was the pay being so small. The collector of taxes for the years 1840, 1841 and 1842 received but \$151.60 for his services; and as late as 1843 and 1844, the treasurer's annual salary did not amount to more than \$100. Until 1846, politics did not turn upon party, but on the best man for the place; the result of which has been a faithful set of officers, as a class. There was some difficulty with the first treasurer, Liston A. Houston, who died indebted to the county some \$1500. On the 8th of October, 1845, on Jonathan H. Wilson coming into office as County Treasurer, he made his report to the Board of County Commissioners, and was ordered to collect the balance due from Mr. Houston; also giving Mr. Houston's securities until the first Monday in January, 1846, and no longer, to make full payment. The time was, however, extended to April. Also with S. M. Cox, treasurer from 1856 to 1860, there was some difficulty in making his affairs appear all satisfactory.

Up to 1846, at times both candidates belonged to one party. Since that time, however, party lines began to be more closely drawn, and the county has generally been anti-democratic; now and then a democrat gaining office on some local issue, but the general result has been whig, know-nothing, republican or radical, as to county politics. The most exciting contest was in 1857, which was in relation to the County Judgeship, several questions entering into the contest, among which was the issuing of bonds by the county to the M. & M. R. R. Co. The election was very close, there being three candidates, Samuel P. Young, Joseph Dickey and Enoch Ross, each receiving votes as follows: Young, 707; Dickey, 710; Ross, 335. The canvassers, however, rejected the returns of Cedar township, on account of some informality in

the returns, which left the vote stand, Young, 688; Dickey, 668; and Ross, 303. The matter was contested on behalf of Mr. Dickey by Thomas Blanchard. The parties selected to determine the matter were Joseph R. Lewis, M. Duke Story and James Dawson, who, after hearing the case, decided that Young was elected; not, however, on the same count as before made by the canvassers, Cedar township being counted and Jackson township being thrown out on account of some defect in the returns. The vote then stood, Young, 694; Dickey, 692; Ross, 287. The person declared elected had concluded not to accept the office, but subsequently changed his mind and qualified. Since that time nothing has transpired of any very great importance in county politics.

#### NEWSPAPERS.

The first newspaper published in the county was the Washington Argus, established in 1854, by Lewis F. Walden, and edited by J. F. Rice, and after being in a half-starved condition for one or two years, it went up Salt River; the last heard of it was in a note by one of the proprietors, stating that those to whom papers were due could be supplied with copies of the Press for the proper amount in each case.

I am in possession of the only copy that I know to be in existence, which bears date June 8, 1854, flaunting at its editorial head the Democratic State Ticket. It is a six column paper, well printed, and was edited with vim, judging by the way in which it pitches into James W. Grimes, in an editorial of over a column in length. There is no marriage notice, but the obituary of Margaret, consort of Andrew Spillard, who died of palpitation of the heart, aged fifty years. Among the advertisements we find that of J. C. Howe, who announces an important discovery to the citizens of Washington County, which is, that he will supply them with wagons; the law cards of A. H. Patterson, Norman Everson, J. B. McNay; the medical cards of W. H. Rousseau, E. R. Young, J. B. Combs; dry goods, Marsh & Holden, N. Chipman, George Thompson, Dougherty & Pollock, Cleaves & McElroy. Grocery by J. McClelland & Son; stoves, &c., by Shaw & Cor-

bin, and some others. The subscription price was two dollars per year, and three dollars for announcing candidates for office. Advertising rates were about the same as now. The Washington Press was established by A. R. Wickersham, in 1856, the first number bearing date of April 9, 1856. Among the advertisements in this number is found a notice of the annual meeting of the Kansas League of Iowa, signed Chas. Foster, chairman of Executive Committee. Summer term of Washington College, list of letters, Mrs. Mary Parker, P. M., Dr. M. C. Parker, Homœopathic and Hydropathic physician, G. W. Thompson & Son, Corbin & Ferguson, N. Chipman, Marsh & Holden, A. W. Chilcote, W. H. Jenkins, and a few other cards.

The Press is now the oldest paper in the county, having been owned in whole or part by A. R. Wickersham, A. S. Bailey, now one of the proprietors of the Record, Thaddeus H. Stanton, now a paymaster in the regular army, and is now owned and edited by H. A. Burrell.

The Washington Democrat was established in 1860, by E. B. Bolens, its first number being dated November 22d; Mr. Bolens being both editor and proprietor from its inception to the close of its career. He was compelled, twice, to suspend its publication for a few months, on account of inadequate support, before he finally abandoned it entirely in 1866. Mr. Bolens removed to Janesville, Wis., where he now is editing and publishing the Janesville Democrat.

In June, 1857, the students of Washington College published a paper called the Bower of Literature, but the investment not proving profitable the Bower soon died a natural death. In June, 1867, the Record was started by Messrs. A. S. & S. P. Bailey, and is edited and published by these gentlemen. In July, 1868, the Pioneer was first issued at Brighton, R. H. Moore editor and proprietor, and since we began writing this article, we notice the prospectus of the Vindicator, the initial number of which is to be issued in a few days. It is to be democratic in its teachings. This ends the list of newspapers published in the county, with three radical and one democratic. We surely should be able to find out what

is for our best interests. The Pioneer, Record and Vindicator being of more recent date, we do not give an extended notice of them.

#### CRIME.

Washington County like almost every county has its criminal record, but has been comparatively free from murders until the last year, when we had two within a few days of each other, one being Thomas King, by McNally, who has not been tried, an indictment being found only last term of the District Court; the other, Dr. J. T. Sales, one of the old residents of the county, was shot on the streets of Brighton by one Hogue, who made good his escape. These we pass with this brief notice, and take those of an earlier date, in the order in which they occurred.

The first occurred in what is now Mahaska County, but that county being then attached to this for judicial purposes, we give its history here. On the 31st day of May, 1841, in Clay township, Peter Perry was murdered by Elijah Searcy. Searcy was indicted by the grand jury in November following. On the 2d of June, 1841, J. M. Smith, justice of the peace, issued a warrant for the arrest of Searcy, which was executed by John Pennington, constable, on the 4th of June; on the 9th of June an inquest was held on the body of Perry before Orson O. Kinsman, justice of the peace; the jury returned a verdict that said Perry came to his death from a wound received from a club in the hands of Searcy on the 7th of June. Searcy sued out a habeas corpus before Judge Jos. Williams, by Olney and Negus, his attorneys, but nothing appears to have been done. On the 9th of June, a recognizance was taken by J. W. Houston for Searcy's appearance, the bond being fixed at \$1000, by which it appears he was released from custody. On the 25th of November, 1841, an indictment having been found, a warrant was issued for Searcy's arrest, and a pluries on the 5th of May, 1843, both of which were returned without service. The criminal having disappeared this case was never tried.

The circumstances of this case were about as follows: It appears that Perry was a half-witted sort of a fellow and was



made the butt of a great many practical jokes. He having said something disparaging to the reputation of Searcy's sister, a quarrel ensued which resulted in the killing of Perry.

The next murder was that of William Johnson by John Peck, in Mahaska County, on the 9th of September, 1843. The circumstances of this murder were as follows: Johnson, who claimed to be one of the heroes of the Canadian revolt, came to the county bringing a very prepossessing woman whom he passed off as his daughter, and to whom Peck was subsequently married. A quarrel arising between the two men about the marriage, Johnson went to Peck's house and took his wife off. Peck with gun in hand went to George Clarkson's house where Johnson was, and without going in deliberately shot Johnson through the cracks of the logs, the shot taking effect in the right breast, killing Johnson immediately. At the October term, 1843, of the District Court, Peck was indicted for this murder, and was tried at a special term held in November, 1843, Joseph Williams, judge, at which time Peck was acquitted.

The third indictment was that of William McCauley for the murder of Don Ferdinand Coffman, in English River township, on the 4th of August, 1844. A change of venue was taken to Van Buren County, where he was tried, convicted and hung. The circumstances of this case were about as follows: McCauley claims that an intimacy had grown up between himself and the wife of Coffman, which terminated in a quarrel between the men. Many threats were made one against the other until the day of the tragedy, when Coffman on a horse with a child before him rode through a lane, and McCauley was coming through a field with a gun. When he reached the fence at a point about eighteen feet from the victim of his hate, he fired, the ball passing through the body of the child, killing it instantly, and entering the body of Coffman, causing a wound, from the effects of which he died next day. He also claims that Coffman's wife and others persuaded him to commit the deed. The evidence shows that McCauley before, at the time of, and subsequent to his arrest, admitted the murder, claiming that he did not intend to kill the child.

The next case was that of John C. Herriman, who was indicted for the murder of David H. Miller on the 9th day of August, 1848, on the farm of A. J. Disney, in Marion township. This was the most cool and deliberate affair of the kind that ever occurred in the county. The indictment was found on the 5th of September, 1848. At the September term, 1848, Harriman was arraigned and pleaded not guilty. No trial was had owing to the case being continued. At this term the defendant moved that some indifferent person be appointed elisor to summon jury and act as sheriff during the trial, as he verily believes Jonathan H. Wilson, the sheriff of said county, is prejudiced against him. Accordingly, at a special term held the 30th of October, 1848, Robert Kinkade was appointed such elisor for that term. The jury were then sworn, who, after hearing the evidence, returned the following verdict: On the 2d of November, 1848, we, the undersigned jurors, find the defendant guilty of the charge of murder as stands charged in the indictment. The judge then passed the following sentence:

The sentence of this court then is, that you be remanded back to the jail of this county and remain there until Friday the 17th inst., that on that day you be taken thence to the place prepared for execution, and there, between the hours of one and three o'clock of said day, you be hung by the neck until you are dead, and may God have mercy on your soul.

Previous to this sentence being passed Herriman moved an arrest of judgment, which was overruled, and the case was taken to the Supreme Court on a bill of exceptions, assigning twelve errors. The Supreme Court reversed the decision of the District Court, and ordered a new trial, which was held upon a change of venue at Fairfield, where a verdict of manslaughter was returned, and Herriman sentenced to eight years confinement in the penitentiary at Fort Madison. About three years afterwards Gov. Hempstead pardoned him, and he was released. The last that we know of Herriman, he had gone across the plains, where if he has not improved very materially he has probably met ere this his just doom at the hands of some vigilance committee, without

so much of law to prevent his sentence being carried into effect.

The circumstances of this case were about as follows: Previous to the election it was rumored that Herriman was a convict, having served a term in the Ohio prison, and consequently not entitled to a vote, and several had threatened to challenge his vote, which, however, was not done. These rumors having reached the ear of Herriman, who being dissipated and quarrelsome, said he would "show any man" who should do so. Several days after the election, Herriman went to the residence of Mr. Disney, where were also Messrs. Moray and Sewell. Herriman being intoxicated, it was with much difficulty that a quarrel was prevented. After some considerable talk, Herriman became somewhat quieted, and the party went to the fence in front of the house. About this time Miller, the murdered man, rode up on a horse, having a child with him. Miller stopped, and Herriman said, "And you are another of the G—d d—d sons of b——s who was going to challenge my vote." Miller, setting the child off the horse, got off himself, saying, "Well, what are you going to do about it?" Herriman replied, "I'll show you," and at the same time fired, killing Miller almost instantly. The others of the party, Messrs. Disney, Moray and Sewell, immediately surrounded Herriman and attempted to arrest him; but he showed fight, using his gun as a club, he kept them at bay. Herriman, retreating backwards, stumbled over a log, when Mr. Disney, catching his gun as he fell, wrenched it from his grasp and dealt him a blow over the head as he lay upon the ground, which, if the butt of the gun had not struck the ground before it did Herriman's head, would have precluded the need of either judge or jury.

At the time Herriman was sentenced to be hung, the gallows were all prepared on the ground east of and adjoining the cemetery, in the south-west part of town, and a large crowd gathered in town; but their curiosity was not satisfied, as a messenger, bearing a stay of proceedings from Judge McKinley, of the Supreme Court, arrived about three hours

before the time for the execution. Much disappointment was manifested, but no disturbance took place.

The next murder, and the last until the present year (1868), was that of Jonathan Dewees, on the 15th of July, 1859, in Marion township. The circumstances are substantially as follows: Near Van Doren's old mill stood a small house which was used as a bawdy house, which had become very annoying to the neighbors, so much so that they concluded to take the law in their own hands and abate it as a nuisance. On the evening of the day named, about a dozen men proceeded to the house to carry their determination into effect. Meeting with resistance, a fight ensued. The assailants were fired upon, one shot taking effect upon Mr. Dewees, the ball entering the back between the shoulders and passing through the chest. He lived but a few moments afterward. There were two men and two women in the house at the time, but it is presumed that Arnold Custer, one of the men, fired the fatal shot. In the excitement he made good his escape. He was indicted for the murder by the grand jury, but has never been and probably never will be arrested, and the indictment still stands against him. The last known of him he was in California. From that time until the present year we have been exempt from such evils.

In every case, excepting the murder of Dr. Sales, the cause can be traced directly either to bad whisky or bad women. Of minor offenses we have had the usual share, but matters seem improving of late years, and there are comparatively few arrests, and the greater part of those for small crimes.

(To be Continued.)

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### D. FRANKLIN WELLS.

We publish in this number the portrait of the late D. Franklin Wells, Superintendent of Public Instruction of the State of Iowa, at the time of his death; and below the funeral services and sermons which formed a part.

Throughout the State, wherever his name is known, and his influence has been felt, and his services are appreciated,—and there is no place within it where they are not,—it will, we are satisfied, be perused with interest.





*J. Franklin Wells.*



The address of Rev. E. K. Young, containing a biographical sketch of the deceased, and delineation of his character, is of peculiar interest as such, and an eloquent tribute of love and honor for his distinguished neighbor and friend. The sermon of Prof. Fellows, a mere *brief* of which we give, was, as delivered, of more than ordinary power.

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### IN MEMORIAM.

The funeral of Prof. D. F. Wells occurred on Friday, November 27th, at 1 o'clock P. M. A procession was formed at 12 M., consisting of the State Officers, Trustees, Faculty and Students of the University, the School Board, Teachers and Scholars of the city schools, and citizens of the place. When the procession reached the residence, the column opened and the children passed and looked for the last time upon the cold form. The procession then reformed and followed the hearse to the M. E. Church, which was soon filled to overflowing, hundreds being unable to gain admittance.

The exercises were solemn and impressive. The hymn commencing,

"There is an hour of peaceful rest"

was sung by the Choir. Rev. Dr. Black offered an earnest and very appropriate prayer. A part of the 15th chapter of 1st Corinthians was read by Prof. S. N. Fellows. The hymn beginning

"Brother, rest from sin and sorrow"

was then sung.

Rev. E. K. Young, pastor of the church, then delivered the following

#### MEMORIAL ADDRESS.

It is no unusual circumstance that has convened us to-day. Death is no stranger to us, and the funeral occasion no uncommon event. We know it is appointed unto *all* men once to die. We know that from the universal death-sentence there is no escape, and that all human paths, however diverse, merge at last into the great highway that leads to the tomb. We are not unused to these solemn occasions, nor unfamiliar with the fateful words freighted with so much of bereavement and sorrow. But I feel to-day in common, I think, with you,

that more than ordinary interest attaches to this event. I question if the death-summons could have come to one whose loss will be more keenly realized—whose death will send a deeper pang of anguish, a wider sense of bereavement, a more universal feeling of sorrow throughout this entire community. We are not here to wreath his name in eulogy, or cover his grave with flattering panegyrics. Standing by the uncovered tomb and in the shadow of the coffin, we deem it more fitting to speak to the living, than of the dead. And surely such a man, with such a life as he had lived—with such a character as he had formed, and such an influence as he had wielded—so pure, so healthful, so widely felt—in the commonwealth—in the social circle—in the church, and in the Sabbath-school—needs no eulogistic phrases to enhance his fame or enshrine him more sacredly in the hearts of his friends. Such a life is its own best eulogy. We shall speak of his virtues—we shall remind you of those qualities of heart and mind which endeared him so strongly to all, and caused those who knew him best to love him most. But we shall do this in no spirit of adulation, but as the deserved tribute to his memory; just as you bring the floral wreath to his coffin or scatter flowers upon his grave, the loving expression of saddened hearts. We do this to present the living an exemplar worthy of imitation, and to bring before you for your emulation, those graces of life and character which win the love and command the respect of men; and above all, secure the approbation of God.

Prof. D. Franklin Wells was born in Oneida County, N. Y., June 22, 1830. Conceiving his mission to be that of an educator, and resolving to make this his life-work, he entered the State Normal School at Albany, N. Y., from which he was graduated in 1852, and entered at once upon his chosen profession. In 1853, through the agency of Prof. T. S. Parvin, he was induced to come to Iowa, and assumed the principalship of one of the public schools in Muscatine. After organizing and grading the school, he conducted it most successfully until 1856, when he was elected Principal of the Nor-



mal Department of the State University, which position, together with that of Prof. of Theory and Practice of Teaching, he held for ten years, and to quote from a biographical sketch in the "Journal of Education," "His success was most remarkable; clearly demonstrating that such a department, wisely conducted, can accomplish the professional training of teachers as well as an independent Normal School."

Prof. Wells has been closely and intimately identified with the educational interests of the State for twelve years, and it is but simple justice to say that the labors of no other of our educators have been crowned with more marked success, and productive of more lasting benefit to the State. Earnestly devoted to his calling—permitting nothing to swerve him from his early-formed purpose—indefatigable and zealous—possessing in an unusual degree the rare power of inspiring enthusiasm and zeal in others, and thoroughly imbued with progressive ideas, he was not long in making his influence felt, and engrafting his theories upon the educational system of the State. He was active in organizing and conducting Teachers' Institutes, and in lecturing upon educational subjects. He was a member and officer of the first State Teachers' Association, and was elected president of the present Association in 1855, and again in 1859. As a presiding officer he had few superiors. Thoroughly versed in Parliamentary usages—self-possessed and vigilant—prompt and clear in his decisions, with a blending of suavity and firmness in his manners, and an ability to push business with dispatch and thoroughness, he won universal commendation. He was largely influential in establishing the "Voice of Iowa," the first organ of the Association.

A little more than a year ago, the resignation of Professor Faville causing a vacancy in the office of Superintendent of Public Instruction, Prof. Wells was appointed to the position by the Governor. One year ago the people ratified the appointment by electing him to the office. It was while engaged in the arduous duties of this position, that he contracted the disease which has taken him from us.

He fell at his post, forgetful of self; counting not his life dear unto him—thinking only of duty. To the expostulations of friends who discovered indications of failing health, and fearing that he was overtaxing his strength, sought to dissuade him from his wearying labors, he returned one invariable answer—"It is duty." Just before setting out on the journey which proved to be his last, he said to his companion, in reply to her expressed fears for his health—"When God calls me I want Him to find me at my post doing my duty." And there the death-message found him, still toiling at his life-work—still laboring to accomplish the mission to which he had consecrated time and talent. Rigid and inflexible devotion to duty characterized him in every department of life. Once convinced that any given course were right, he would pursue it at any cost. The question that determined his action was not "is it politic?" but "is it duty?" He stopped not to enquire who would approve or disapprove,—valuing the answer of a good conscience above the opinion of men. Some of us remember his remarks at our last general class meeting: "Though I may not give in my testimony as often as others, yet I assure you, it is from no lack of interest in the cause, but from a natural diffidence which I find it difficult to overcome. And though I may not be able to express myself with as much fervor as others, yet I have the principles of religion firmly fixed in my heart, and am endeavoring to do my whole duty as a christian, to my family and to the world." Those few simple words present a perfect portrait of his spiritual life. There was little of external emotion—little of outward demonstration in his religious life, but a steady, ever-flowing under-current of piety, growing deeper and broader, and stronger every day. To him religion meant a fearless, consistent, uncompromising devotion to the truth as God gave him to see the truth. Those of us who were associated with him in the Sabbath-School, know how faithfully and efficiently he discharged the delicate and difficult duties of Superintendent. Sickness or absence from home were all that ever kept him from his post in the Sunday-School. We as much expected to find him there at the mo-

ment of commencing, as we expected the Sabbath-School to convene. The punctuality and regularity that he so strenuously exacted from others, he exemplified himself. It is not too much to say that the Sabbath-School connected with this church owes a large measure of its success, its prosperity and the systematic arrangement of its departments, under God, to the genius, the energy, and the faithfulness of Prof. Wells. Few men possess as strongly marked and clearly defined individuality. With whatever he stood connected—with whatever enterprise he identified himself, he infused into it his own spirit, and stamped upon it his own character. Whatever he created bore the impress of his genius, and was readily recognized as his handiwork.

I think he was the most courteous gentleman I ever met; ever mindful of the common courtesies and amenities of life; always regardful of the feelings and convictions of others. During the last stages of his illness, when scarcely able to articulate intelligibly, and speaking with the utmost pain and difficulty, he never permitted the slightest favor or the most trivial act of kindness to pass without a courteous acknowledgment; and when past speech, the wave of the hand or the nod of the head expressed the thanks he had not the voice to utter. He was generous, charitable and forgiving to the last degree. Resentment and revenge found no home in his breast. He could not harbor malice; he never cherished enmity; long-continued ill-will was foreign to his nature. If injured, he forgave; if wronged, he never retaliated, but sought rather to excuse, to palliate and to forget, even reproving his friends when their words of indignation seemed too severe. Amiable, kindly-affectioned, gentle, patient under suffering and wrong, firm in his adherence to and advocacy of the right, affable toward all, thus he lived; and never shone these qualities of heart and mind more conspicuously and brightly than during the last days of his life and in his dying hours.

That he suffered much, was evident from the nature of the disease; but nothing in his conduct indicated it. From the beginning to the close of his illness, no word of murmuring,

or fretfulness, or complaining escaped him. He seemed to us, at every visit we made him, like one perfectly aware of his condition, and calmly, patiently and trustingly awaiting the pleasure of his Heavenly Father. To the question of his companion—"Are the promises of Christ precious, and do you trust in Him?" he promptly responded in the affirmative. His house was set in order; his business concerns were all adjusted; his temporal matters were all arranged; and, best of all, the *main thing was secure*, and he had only to gather up his feet in death. It is pleasant and gratifying to remember that he retained his consciousness and was entirely rational to the *very last moment*. He understood perfectly all that was transpiring around him; recognized his friends, and answered questions, and gave directions with as much clearness and precision as though in the full vigor of health. The gleam of intelligence never left his eyes until they closed in death. Then he sank gently, and, to all appearances, painlessly away. Without a struggle, as though sinking into quiet slumber, his spirit passed from the cares and conflicts of this world to the changeless glories of the eternal.

Thus he lived; and thus, in the bosom of his family—in the quiet of his own home—ministered to by sympathizing friends, and soothed and comforted by the consolations of religion—God gave His beloved sleep. His life-work was ended; his mission accomplished; the duties God had set before him manfully met; and then the Master said—"It is enough—come up higher;" and now, upon this coffin falls that sweetest of heavenly benedictions—"Blessed are the dead who die in the Lord. Even so saith the spirit; for they rest from their labors, and their works do follow them."

Then followed a brief

SERMON BY REV. PROF. FELLOWS, OF THE STATE UNIVERSITY.

Text—1st Cor., 15th chapter and 55th verse—O death, where is thy sting? O grave, where is thy victory?

It is a terrible thing to die. The cold death sweat, the darkened vision and dying agony—the sundering of human



ties, parting of loved ones, the thought of never again beholding their faces or listening to their accents of affection, and that we shall be the lonely tenants of the charnel house, with nothing to break the gloomy solitude, no companions but those that riot upon our bodies—all combine to make death terrible. The scenes of life will move on; childhood will sport above us; friends will meet in social converse; the hum of business be everywhere heard, while we, companionless, will lie in the cold grave.

Death comes unexpectedly. The merchant fills his store, and another sells his goods; the farmer sows his grain, and another gathers his harvest; *we* build houses, and others dwell in them. What sad havoc of all our plans and schemes are caused by death.

To the sinner, death has tenfold greater terrors. Remorse for the past and worse dread of the future, fill his mind with fearful forebodings. *Why* these terrors? Are they of service to man? Yes; they were ordained by Divine wisdom and goodness. These terrors are the guardians of life and the preservers of society. Without them, suicides would be multiplied, and the authority of law would be weakened if not destroyed.

Can these terrors be overcome? Reason and infidelity reply, "Yes. Death is the law of our being, the condition on which life was received. The pain of dying is short, only *apparently* hard to die. It is undesirable to live to old age, and suffer the decay of active powers and the loss of friends and social enjoyments. Honor has defied death; shame has sought it; the patriot soldier fears it not; we should submit cheerfully, and meet it with a manly courage."

These are the highest and best sentiments of reason. How cold and cheerless. When the soul is going down into the dark valley, philosophy fails, infidelity is dumb, and the soul cries out for something more.

We ask again, is there no way of overcoming these terrors? Christianity replies, there is. "Forasmuch as the children are partakers of flesh and blood, Christ also himself

took part of the same, that through death He might destroy him that had the power of death, that is, the devil, and *deliver them* who, through fear of death, were all their lifetime subject to bondage." How is this accomplished? Answer—By removing the cause, "the sting of death, sin." 'Tis sin that fills the soul with terror at the thought of dying. Jesus Christ takes away sin. "He shall save His people from their sins."

Again: The christian goes not alone—the Conqueror of death goes with him. "When thou passest through the waters, *I* will be with thee." To the christian, death is the end of trial and conflict, and the gate to endless joy. 'Tis but as a tunnel through the mountains—a darkness comes over him for a moment, and then light from the other side bursts upon him. The christian is specially prepared for death. Dying grace is given, faith is quickened, ministering angels hover over the scene, loved ones gone before draw near, heaven is opened to the view, and the soul in triumph passes away.

As we contemplate death, robbed of his terrors—the conqueror of the race conquered by the Captain of our salvation—as we behold him vanquished, disarmed, converted into a friend who ushers us into the presence of loved ones, angels and God—may we not, even in this solemn presence, exclaim, "O death, where is thy sting? O grave, where is thy victory? The sting of death is sin, but thanks be unto God who giveth us the victory through our Lord Jesus Christ."

#### DOCUMENTARY.

##### Iowa—Developments—Resources.

BY SAMUEL MERBILL, GOVERNOR.

We publish the following official communication with the view of giving it more permanency of preservation, and greater convenience of reference for our readers than it will find in the newspapers of the State in which it has received very general publication—EDITOR.

STATE OF IOWA, EXECUTIVE DEPARTMENT, }  
DES MOINES, NOV. 23, 1868. }

PETER COOPER, Esq., President Citizens' National Association of New York:

*Sir* :—Your communication of September 23d, asking in-

formation as to the resources and advantages of Iowa, with a view of inducing immigration to the State, has been received. You suggest that an official statement of some of the leading interests be made out by me, that you may translate the same into other languages for distribution in other countries. I cheerfully comply with your request, but have to regret that we have no State Board of Emigration, nor any appropriation to aid you in the laudable enterprise.

The State of Iowa is situated centrally in the Union, bounded east and west by the two great rivers of North America. Its area is 55,045 square miles, nearly as great as that of all England, much greater than that of Ireland, and nearly twice as large as Scotland. Its surface is over ninety per cent. prairie, nearly all "rolling" or undulating; only a small part being what is denominated "flat prairie"; and while there are no mountains, there is a constant succession of gentle elevations and depressions, and along the Mississippi and Missouri rivers, bold eminences and picturesque valleys heighten the beauty of the scenery. The table lands between the waters of the two great rivers, according to the report of our State Geological survey, attain in the northern part of the State an altitude of 1,400 feet above the level of the sea.

The State has many fine streams. The Des Moines river, over three hundred miles long; the Iowa, the Cedar, and other streams flow into the Mississippi, while numerous tributaries of the Missouri drain the western counties. These streams are almost invariably skirted with timber, some of them heavily wooded. This timber consists of elm, black walnut, oak, linden, cottonwood, hackberry, sycamore, poplar, ash, and other varieties of forest trees.

Coal, which is found in parts of the State, is a source of vast wealth, which is being rapidly developed. In 1866 our State census shows there were 99,320 tons taken out; against 66,664 in 1864. Peat has also been discovered within a few years in many parts of the State, in quantities which promise an abundant supply of fuel.

This part of the republic is favored with a delightful climate, eminently conducive to health and longevity. Pulmon-

any complaints, in particular, are comparatively rare. This fact is especially worthy of consideration by the immigrant from the old world.

A soil of surpassing richness affords an abundant supply of all the necessities and luxuries of life. The character of this soil is thus described by an eminent geologist who examined it with the critical eye of science—Dr. James Hall, of New York. He says:

“The upper portion of the material constituting the superficial covering of the prairie is always finely comminuted, and usually has a few loose boulders or fragments of rock scattered through it, although they sometimes lie upon the surface in isolated groups or singly. Upon the great prairies in Central Iowa, one may frequently travel over a large extent of surface without seeing a single stone, not even so much as the smallest pebble. In the swales and in some of the bottom lands, especially in the southern part of the State, the rich black vegetable mould is very deep, but on the prairies it is usually from one to two feet. The subsoil is almost invariably a quite argillaceous loam, and there is a gradual passage downward into a material which, though containing sandy portions and occasional pebbles, the argillaceous element greatly preponderates.”

A few statistics of the crops of 1866 and other years will give some idea of our resources.

Wheat is grown in every county of the State, and no part seems unfavorable to its production in generous quantities. Spring wheat is the variety mostly raised. As early as 1850 Iowa was the fifteenth of the States of the Union, in the production of this invaluable cereal, and in 1860 it stood eighth—while in the former it was the twenty-fifth in the number of acres improved, and in 1860 was fifteenth. The following are the figures of the productions of wheat for a series of years:

1864.....	15,021,149 bushels.
1866.....	14,635,520   “
1867 (estimated).....	20,000,000   “
1868 .....	25,000,000   “

The next Federal Census (1870) will probably show a yield



in the State of at least 35,000,000 bushels of wheat. Such is the opinion of intelligent agriculturists.

In 1849 Iowa stood eighteenth in the States in the production of corn, coming next to the old State of New Jersey at that early day. In 1859 it was the seventh, raising about five per cent, of all the corn produced in the country, and now ranking next to Tennessee; the other States standing above her, being in their order, Illinois, Missouri, Ohio, Indiana and Kentucky. The census of 1870 will very probably place Iowa *third* in the order of the States in the production of this grain. We give the figures for a series of years:

1864.....	48,471,123	bushels.
1866.....	56,928,938	"
1867 (estimated).....	74,000,000	"
1868 ".....	90,000,000	"

It is not improbable that the yield as shown by the next Federal Census (1870) will exceed one hundred and twenty millions.

The following table gives the figures of other crops for a series of years:

	1862	1864	1866
Oats, bushels.....	7,582,060	15,928,777	15,860,494
Rye ".....	474,675	662,388	492,841
Barley ".....	385,067	950,696	1,197,729
Potatoes ".....	2,362,918	2,730,811	2,666,678
Sweet " ".....	37,498	26,222	50,390
Onions " no report.		297,638	213,285
Sorghum, gal's.....	3,012,393	1,443,605	2,094,507
Hay, tons.....	1,032,553	1,002,166	1,409,851
Butter, pounds.....	13,675,500	14,538,216	19,192,727
Cheese, ".....	902,701	1,000,738	1,403,864
Grapes, ".....	291,755	390,409	549,179

Stock-raising and wool-growing are profitable pursuits, and all kinds of live stock thriving finely in all parts of the State, no contagious or epidemic diseases having ever prevailed.

The following are the statistics of live stock for several years:

	1863.	1865.	1867.
Horses.....	275,697	316,702	425,055
Mules and Asses.....	12,022	14,303	22,037
Milch cows.....	292,025	310,187	326,559
Work oxen.....	56,596	37,707	27,246
Sheep.....	599,939	1,450,787	1,708,958
Swine.....	1,743,865	1,037,117	1,620,089
Other cattle.....	548,626	553,977	602,364
Pounds wool shorn.....	1,429,209	2,813,620	5,323,385

Fruit-raising amply remunerates the producer. Of late years attention has been largely devoted to the cultivation of grapes, with the most gratifying success. In 1866, there were 549,179 pounds of grapes raised, against 390,409 pounds in 1864. In 1866, there were 1,075,177 fruit trees in bearing, and in 1864, 636,458. These figures tell their own story, and show the steady advance in productive wealth.

The State is settled mainly from Ohio, Indiana and Pennsylvania, with a large admixture from New England. About one-sixth of the entire population came from foreign countries, Germany largely preponderating. Norway, Holland and Sweden, among the minor nations of the old world, have also thriving settlements in this State. A people loving liberty and order, and respecting and prising the political, religious and educational privileges of our State, is the natural result of the aggregation of such material.

The first permanent settlement, in what is now Iowa, was made in the county of Lee, in the south-eastern part of the State, less than forty years ago. The territory was detached from the territory of Wisconsin in 1838, and was admitted into the Union the twenty-ninth State, December 28, 1846. The population in 1836, was 10,531; in 1838, 22,859; in 1846, 97,588; in 1856, 519,055; in 1867, 902,040. It is now estimated at about 1,100,000; and yet much more than two-thirds of the State is still just as it came from the hand of nature. From twenty to twenty-five millions of acres of prairie land have not been touched by the plow. Homesteads may be secured in many of the counties of north-western Iowa, on Government lands, while the greater portion of unimproved lands may be bought at from \$2.50 to \$10 per acre, and nearly every acre of it is as good land as any which has yet yielded its wealth to cultivation.

Iowa has some twelve railroads, with more than fourteen hundred miles of lines in operation. Several other companies have been organized, some of which are grading their road-beds, while others are engaged in preliminary work. Within a year, at least, three railroads will traverse the whole State from east to west,—one being already finished. Other

roads in the same direction, and several north and south roads are in progress. Telegraph lines accompany the railways, and an independent line, following the Mississippi river, has just been constructed across the State.

In the ninety-seven organized counties of the State, there were, in 1867, 6,229 schools, with a gross attendance of 251,281 pupils, costing for tuition \$1,161,653. The school-houses were valued at \$3,450,978. The State has made ample provision for the support of free schools. The proceeds of all lands given by the General Government for school purposes, and of the 500,000 acres given under an act of 1841, the five per cent. granted by the United States on lands sold within the State, and the estate of every deceased person dying without will or heirs, constitute a perpetual fund, the interest of which goes to the support of common schools. The money paid for exemption from military duty, as well as the clear proceeds of all fines collected for breach of the penal laws, are similarly devoted to the support of the schools. All these resources, with the addition of a tax of from one mill to two and a half mills, go to the payment of teachers. The building of school-houses, keeping them in repair, fuel, apparatus, rent, etc., are provided for by a special tax. The amount expended for these purposes in 1867, was about \$880,000. It is believed that our system of popular education is as good as that of any of the States. In addition, we have a State University with an income of \$25,000, aside from the appropriations made by the General Assembly. There is also a State Agricultural College and farm, with an estimated income of \$40,000. Besides these, private schools of a high order, academies, colleges and universities, under the control of various denominations of Christians, are numerous throughout the State. From the earliest settlement of the territory, the friends of liberal education have persistently labored for the advancement of the cause, and have at all times been able to influence to some extent the legislature of the State in this behalf; and now it is believed no State in the Union has made more extensive provision for universal education.

I have thus endeavored to convey to you, in the fewest possible words, the information you desire. Permit me to add, that to this young but growing State, blessed as it is with a salubrious climate; with soil of unsurpassed richness; with an intelligent, progressive population; with a wise and efficient system of popular education; with many institutions of learning of a high grade; with rivers and railways bringing or about to bring markets to the very homes, so to say, of all the citizens; with millions of acres of fertile lands which may now be had at very low prices, but which will rapidly increase in value; with low taxes, and an unusually sound financial condition; with the privileges of religion assured to all alike; with a past prosperity hardly equaled in the country, assuring undoubted future greatness and rank among the eminent States of the Republic, we most cordially invite upright citizens of all lands and creeds to come, here in this favored land to make themselves happy homes, and help us to build up the fabric of what is surely destined to be a mighty commonwealth.

I have the honor to be, sir, your obedient servant,  
 SAMUEL MERRILL, *Governor of Iowa.*

#### ANNUAL MEETING OF THE IOWA STATE HISTORICAL SOCIETY.

IOWA CITY, IOWA, Tuesday Eve, Dec. 1.

The annual meeting of the State Historical Society of Iowa was held this evening in the Council Chamber; President Robt. Hutchinson, presiding. Minutes of last annual meeting read and approved.

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Hon. B. Phillips was elected honorary member.

On motion of J. R. Hartsock, Capt. F. M. Irish was elected life member of the Society, and not liable to the payment of the annual fees.

On motion, the Corresponding Secretary read the report of the Curators, which was received and adopted.

The Treasurer's report being read, was adopted.

\* \* \* \* \*



The Society then proceeded to the election of officers, with results as follows:

OFFICERS OF THE SOCIETY FOR THE YEAR 1869.

*President*—Dr. M. J. Morsman.

*Vice Presidents*—Rev. W. Emonds, Prof. W. G. Hammond, Rev. R. L. Ganter, Hon. Geo. G. Wright, Prof. James Black and Hon. E. Clark.

*Corresponding Secretary*—DR. SANFORD W. HUFF.

*Recording Secretary*—Capt. W. Gaston.

*Librarian*—C. F. Clarke.

*Treasurer*—H. S. Welton.

CURATORS.

Hon. G. W. McCleary,  
Wm. Crum,  
Dr. Wm. Vogt,  
Robt. Hutchinson,  
Dr. H. Murray,  
Hon. S. J. Kirkwood,  
M. W. Davis,  
Walter Hoyt,  
Hon. John P. Irish,

Hon. F. H. Lee,  
A. C. Younkin,  
S. E. Paine,  
Thos. Hughes,  
Col. H. Graham,  
Col. S. C. Trowbridge,  
Rev. G. D. A. Hebard,  
G. W. Dodder,  
Moses Bloom.

Moved by J. P. Irish, and carried, that a committee of three be appointed to make arrangements for a lecture before the Society on the evening of the next annual election. Prof. W. G. Hammond, S. E. Paine and Rev. R. L. Ganter were appointed such committee.

\* \* \* \* \*

Motion to adjourn carried.

S. E. PAINE, Rec. Sec.

President of the Board, Hon. F. H. LEE.

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*Report of the Board of Curators (Executive Committee) of the Iowa State Historical Society, to the Society at its annual meeting, held December 1st, 1868, at Iowa City, Iowa.*

MR. PRESIDENT AND GENTLEMEN:

Your Executive Committee elected at the last annual meeting of the Society, have the honor to submit the follow-

ing report of the transactions of the Society which have been made through the committee during the year just past, and of its present condition :

## FINANCES.

It will be remembered that at the time of the last annual meeting, the financial resources of the Society were an annuity from the State of five hundred dollars, a small sum derivable from annual dues, and from a subscription list to the ANNALS, not large and uncertain of collection, making a sum too meager to meet the positive needs of the Society, to say nothing of pushing its objects in the various channels necessary to accomplish the purpose of its organization. Pinched in its pecuniary resources, it has been constantly embarrassed in its work. Its property has suffered loss and damage for want of appropriate fixtures and rooms and care, and the duties of its official working positions were uncompensated and burdensome, as all uncompensated labor is. These considerations induced the Board to make a special effort with the legislature for an increased appropriation to meet these necessities of the Society. Hence early in the session it took measures to lay before that body, conveyed in their biennial report, and also in a memorial signed by the Board, the needs of the Society in carrying on this work. Seconded in their efforts by the representatives from this county, and also aided efficiently by the friends of the Society throughout the State, many of whom gave it kind words and recommendations to the legislature, and finally met in a spirit of friendly liberality by the members of both branches of the legislature an appropriation was made granting the full amount of the request of the friends and agents of the Society, to-wit: the liberal allowance of \$3000 annually for two years. Add to this \$500 already received, and the appropriation from the State for the current year is.....\$3500 00  
Balance remaining in treasury from 1867..... 35 00

Total.....\$3535 00

Increased by the moderate amounts derived from membership and subscription to ANNALS.

## DISBURSEMENTS.

The disbursements are as follows:

On orders from 1 to 31.....	\$3330 39
Incidental payments.....	28 15

Total.....	\$3358 54
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The exact purposes for which the disbursements have been made are shown specifically in the report of the Treasurer appended, marked A 1. In general terms we may mention that the expenditures have been

1. For the rent and furnishing of a room for the reception of the property of the Society.
2. For the payment of the printing of the *ANNALS*.
3. Compensation to the Corresponding Secretary.
4. Compensation to Librarian.
5. For procuring the necessary books of record and for cataloguing purposes, and other books and facilities for transacting the business of the Society.

For these purposes the following sums have been paid:

\*       \*       \*       \*       \*       \*       \*       \*

## ROOM.

It will be noticed that the amount paid for room fixtures is quite large. It is proper, in explanation, to call attention to the fact that at the commencement of the current year the Society was entirely houseless, occupying a room in the University, by suffrance of its trustees, and under orders to remove its property at the first practicable moment. This rendered necessary the purchase or rent of another room. The law not authorizing purchase, the Board resorted to rental, in accordance with its provisions. The Society was also comparatively destitute of appropriate furniture and proper appointments wherewith to store its valuables. To such an extent were they destitute, that a large number of books, pamphlets and papers were stacked away, in a separate basement apartment, without regard to classification or order being possible. The appropriate furniture to meet the demand has been expensive. Hence the grand total under

this head of room and fixtures, has been swollen to a large amount for the current year. Comparatively little will be demanded for the next.

#### BINDING.

The binding bill is also large in consequence of the fact that papers, pamphlets and documents have been accumulating for several years. A large beginning has been made this year, and also much of the same class of expense has been postponed to the future.

#### THE ANNALS.

This publication has been greatly enlarged since the last volume. At that time it had not exceeded forty-eight pages. During the past year, the editor, finding encouragement for the belief that a larger number of pages could be filled with appropriate matter, has, with the consent of the Board, gradually enlarged it until it has now attained the size of one hundred pages, which is as large as it is probably judicious to make it at the present time. The subscription price remains \$1.00. The Board have duly considered the propriety of increasing the price of the subscription, and are of the opinion that for the future, if it seems feasible to continue it at the present size, to double the price of subscription. There are reasons of considerable force why this publication should not be held at the same high price as those published as individual enterprises; but that an increase of expense of publication should demand an increase of the price of the magazine, is equally obvious.

It is due further to explain, that the number of paying subscribers to the ANNALS, while yet comparatively small, has very nearly doubled during the last year; but, like the subscriptions to all periodicals and newspapers not paid in advance, the collection is slow; but that they will all eventually be paid, is a safe expectation, in view of the character of the subscribers, most of whom are men of the highest standing in the State or in the counties and cities of their residence.

The ANNALS is therefore not yet self-supporting in this sense, that collections cannot be made with sufficient rapidity



to meet the immediate demands of its publication. None of the customary methods to increase its circulation have been resorted to. Nothing has been paid for advertising or agencies. Its gain in circulation is due in no degree to these, but indicate very clearly that with the effort in this direction which the Society is now able to make, a very large subscription may be procured, rendering its publication in the future entirely self-paying, and possibly remunerative to the Society.

#### PROSPECTIVE.

We congratulate the members of the Society, that after the lapse of many years the Society is entering upon the dawn of a day of the realization of the specific work it was organized to accomplish; that its claims are finally being recognized the public who read its publications and the State which it was intended to aid in a work of peculiar value to its future; and that the way for the achievement of a greater usefulness is opened up than has ever before obtained.

All over the State, among the people, the State Historical Society has become a recognized institution, and its laudable objects better appreciated; its eminent citizens acknowledging its importance, and sending words of encouragement; the representatives of the people in the legislature appropriating liberally in its aid; and nothing now seems to remain but work on the part of the members of the Society, to make it all which the most sanguine of its founders contemplated, and all that such an institution is susceptible of being made; and we beg leave of the Society to suggest that there is much work of a peculiar nature to do, and do immediately. To secure the early history of the State is a prominent object of the Society. This is rapidly passing beyond the reach of this or any other depository. The men who made its history and who are capable of reproducing it, are passing rapidly away. The animals, the birds, the fishes and the insects which inhabited its prairies, its forests, its streams and its vegetation, are passing out of sight also, and giving place to many varieties foreign to its native condition. The native human inhabitants within its

boundaries are disappearing no less rapidly than its native brute creation. Even the flowers and plants, the trees and shrubbery indigenous to its fields and forests are giving place to exotics; and a few years hence the most indefatigable industry may be futile in gathering and classing what may then be regarded as treasures by the naturalist, or as more valuable than rubies and fine gold by the historian. This generation are the preservers of the present and the past history of the State; and of this generation the Society which is here assembled are the self-constituted agents for that preservation. To meet the responsibility resting upon it, work, active work, is necessary; without it but little can be accomplished.

We therefore beg to suggest that no member can fully meet that responsibility without giving the Society the benefit of his active influence on every proper occasion. Passivity does not meet the requirements of membership with the Society; there are active duties demanded, and whenever and wherever a word can be put in to its advantage, to encourage the work, duty demands it. Whether to secure an addition to its cabinet, a subscriber to its *ANNALS*, a contribution to its pages, a paper for its archives, a rare book for its library, a preparation for its natural history department, a historic relic for its curiosity shelves, or a friendly word to those who can do it service, the influence or effort should be freely given.

Congratulating the Society on what has already been achieved in this important field, and trusting confidently in united efforts and ultimate abundant success, the foregoing is

Respectfully submitted.

SANFORD W. HUFF,  
Corresponding Secretary,  
For the Board of Curators.











Engr. by G. E. Perdue & Co. N.Y.

O. Faville

O. FAVILLE.